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IGNATIUS CARDINAL PERSICO, O.M.CAP. (1823 - 1895)*

BY REV. DONALD C. SHEARER, O.M.CAP., A.M., S.T.B.

CHAPTER I

EARLY DAYS (1823-1846)

Ignatius Cardinal Persico was born in Naples, Italy, on January 30, 1823. He received in baptism the names: Camillus, William, Mary and Peter. His father, Xavier Persico, who came originally from Sorrento, at the other end of the Bay of Naples, where his family was numbered among the better class, was Prefect of what was known as the General Commissariat of the royal army.¹ Persico's mother, Josepha Pennacchio, was related to the English family of Acton.²

These few facts are all that is known regarding the early life of the future missionary, diplomat and cardinal.

Naples, at the time of Persico's birth, was a city of approximately 450,000 inhabitants. With the exception of London and Paris, it was the most populous city in Europe and was the capital of the Kingdom of The Two Sicilies. Napoleon took possession of the Kingdom in 1806 and gave it to his brother Joseph, who was replaced later on by Joachim Murat, the brother-in-law of the emperor. In 1814, when Napoleon was driven into exile, Francis II, Emperor of Germany, recovered the Kingdom of Naples by force of arms, and bestowed it upon Ferdinand I, who was succeeded in 1825, by King Francis I.

Persico's preliminary education was received in the Jesuit College at Naples.³ On April 25, 1839, at the age of sixteen, he

*Essay submitted to the Faculty of the Graduate School of Arts and Sciences of the Catholic University of America in partial fulfillment for the degree of Master of Arts.

¹Appolinare a Valencia, *Bibliotheca Fratrum Minorum Capuccinorum Provinciae Neapolitanae* (Naples, 1886), 109.

²Jeron, Otto, O. M. Cap., "The Capuchins in America," in *HISTORICAL RECORDS AND STUDIES*, V (1909), 328.

³Jeron, *op. cit.*, 325. Jeron quotes no authority for this statement.

entered the Capuchin novitiate of S. Agnello at Sorrento, taking Ignatius as his religious name.⁴ Sorrento belonged to the Capuchin Neapolitan Province, and, like almost all the Capuchin Provinces in Italy, had suffered greatly during the suppression of Religious Orders under Napoleon. Before the suppression, the Province had twenty-nine monasteries, two novitiates, seven houses of study, two hundred and sixty-one priests, twenty-two clerics and seventy-six lay-brothers. After the suppression it numbered about twenty monasteries with one hundred and eighty-five priests and thirty-six lay-brothers.⁵ At the novitiate of S. Agnello, Persico was imbued with the spirit of St. Francis and received the foundation for that virtue and zeal which was to distinguish him in later life. For the next six years (1839-1845) he lived the quiet and uneventful life of a student of philosophy and theology. He finished his studies with honor and was ordained to the priesthood on January 24, 1846, at the age of twenty-three.⁶ Believing that he was called to be a missionary, he made known his desire to his superiors, since it is one of the privileges of the Rule of St. Francis that every friar may, with permission of his superiors, go to the foreign missions. His superiors granted his request; and after he had received his letters of obedience from the Minister General, he was sent to Rome to prepare for his future work. The high recommendation given to him by his superiors show that while still a young friar, his worth was acknowledged.⁷

At this time it was necessary for every Capuchin missionary to spend some time, usually two years, at the College of St. Fidelis in Rome, a college recently founded for the purpose of training future missionaries of the Order. On October 3, 1707, Clement XI had issued a decree commanding the superiors of certain Religious Orders to erect colleges in Rome for the express purpose of training missionaries, and of strengthening their vocation and missionary spirit. Clement XI, by a *motu proprio*, had advised the Capuchins to build such a college and had even put aside 3,000 scudi

⁴*Analecta Ordinis Minorum Capuccinorum*, XII (Rome, 1896), 30.

⁵*Bullarium Ordinis Fratrum Minorum Capuccinorum*, X (Innsbruck, 1884), 729. At the present time the Province has only eighty-seven religious: *Descriptio Geographica et Statistica Provinciarum et Missionum Ordinis Fratrum Minorum Capuccinorum* (Rome, 1929), 27.

⁶Jeron, *op. cit.*, 326; *Analecta*, XII, 30, 31.

⁷Alencon, Eduard, *Collegii S. Fidelis pro Missionibus Ordinis Fratrum Minorum Capuccinorum Conspectus Historicus* (Rome, 1926), 24.

for this purpose. Clement's intention had been kept secret, but as soon as the Superiors of the Roman Province heard of it, they left no stone unturned to hinder the project. The Definitors went to the Sacred Congregation and to the Pope himself with a petition signed by all the priests protesting against the erection of the college. Clement XI decided to acquiesce and the 3,000 scudi were given to the Chapter of the Liberian Basilica.⁸ It was only later, in 1841, that the Minister-General, Father Eugene de Rumelly, at the request of Gregory XVI, founded St. Fidelis College for the training of Capuchin missionaries. The erection of the college was confirmed on August 1, of that year.⁹

Father Ignatius Persico arrived at St. Fidelis on May 23, 1846.¹⁰ An event that must have inspired him with renewed zeal and confirmed him in the choice of his vocation, was the consecration by Cardinal Franson, the day after his arrival, of the Capuchin, William Massaja, the renowned Apostle of the Gallas. Massaja had come to Rome with the intention of going to the missions as a simple missionary. However, his exceptional qualities were known at Rome, and, on his arrival, he was informed that he was destined to be Vicar-Apostolic of the Gallas in Africa.¹¹

Before entering upon the course of studies, in accordance with the rules of the college, Persico had first to make a retreat of eight days. Although the usual course of studies was supposed to have lasted two years, Persico's stay at St. Fidelis lasted only seven months, from May until December. The life he led while in Rome was a strict one and adapted in every way to strengthening his religious character, since it was in the nature of a second novitiate.

The studies embraced a course of four hours a week in the lan-

⁸*Ibid.*, vii; *Analecta*, XXVI (1910), 258.

⁹Alencon, *op. cit.*, 7; *Bullarium*, X, 100.

¹⁰Alencon, *op. cit.*, 24.

¹¹William Massaja was born, June 8, 1809, in Italy. He entered the Capuchin Order, September 25, 1825. As bishop, he labored for twenty-five years in Abyssinia, Ethiopia and the regions of the Nile. He translated a grammar of the Galla language, established chapels and churches in all parts of his extensive Vicariate, and erected at Marseilles a school for the education of Galla boys whom he had freed from slavery. Ill health forced him to return to Rome. Leo XIII made him Archbishop of Stauropolis in 1881, and on November 10, 1884, raised him to the cardinalate. He died, on August 6, 1889. Ignatius Persico officiated at the solemn Mass of Requiem. *Ibid.*, 23. Cf. *Bullarium*, X, 162; *Analecta*, V (1889), 291-294.

guages and daily lectures in theology which was mainly of an apologetic nature. Every week there was a conference in which the subject studied during the preceding days was reviewed. Catechetical instructions were given twice a month by different students; the instructions lasted a half hour and treated some article of faith, or one of the Commandments or Sacraments. The principal part of the training, however, was a drilling in apologetic theology.

For the religious side of the training, the rules of the college insisted on perfect community life. Strict silence was observed and the students devoted themselves to mental prayer and attended choir day and night. Devotion to the Immaculate Conception, which the Franciscan Order has always fostered, was continually recommended to the future missionaries, who placed themselves under her particular patronage. There was, of course, some time allotted to recreation. The main recreation was walking which was permitted the students twice a week, but as the rules said, the walks were to be *per loca a saecularibus minus frequentata*.¹¹

It is regrettable that, with such a remarkable career in Church diplomatic affairs, we know so little of Persico's early life up to his priesthood and his decision to devote himself to missionary labor. All available material, especially his letters and memoirs, have been diligently searched, but no printed facts could be found.

¹¹Alencon, *op. cit.*, 10, 11.

CHAPTER II

WORK IN THE MINISTRY, 1846-1850

Anastasius Hartmann, who had taught at St. Fidelis College for two years and later gone to India as a missionary, was consecrated bishop on March 15, 1846, and placed at the head of the newly erected Vicariate Apostolic of Patna. The day after his consecration, he wrote to Cardinal Franson, Prefect of the Sacred Congregation de Propaganda Fide, asking for missionaries.¹ He waited patiently for Propaganda to send the missionaries, but he waited in vain. At last, he wrote a second letter in June begging the Cardinal Prefect to send him five or six men as soon as possible.² Propaganda finally decided to send four missionaries to the Patna Vicariate. The four chosen were: Fathers Augustine of Castellarro, Philip of Alexandria, Fortunatus of Ancona, and Ignatius of Naples.³ According to the instructions of Bishop Hartmann, the new missionaries were to bring all necessary equipment with them, including missals, chalices, ciboria, and two irons for baking hosts.

The four missionaries left Rome for India on December 2, 1846.⁴ We do not know what route they took, but their logical course was to go from Rome to Naples and thence to the island of Malta. From Malta to Alexandria took five days. A four days' journey down the Nile would bring them to Cairo where they could engage camels for the journey through the desert to Suez. From Suez, the route continued through the Red Sea, touching at Port Said and thence to Bombay. It is hardly probable that they traveled overland from Bombay to Patna. It was easier to go by water to Calcutta by way of Colombo. A boat would have to be procured at Calcutta and the last lap of the journey would take them up the sacred Ganges to Patna. This

¹Imhof-Jann, *Anastasius Hartmann* (Lucerne, 1903), 104.

²*Ibid.*

³Jann, Adelhelm, *Die Aktensammlung des Bischofs A. Hartmann zu einer Geschichte der Kapuzinermission in Tibet, Nepal und Hindostan* (1704-1866), in *St. Fidelis Gloecklein* (Lucerne), IX (1920-1921), 3.

⁴*Annalen der Verbreitung des Glaubens* (Maria Einsiedeln), XV (1847), 156. Alencon, *op. cit.*, 42, note.

journey would have taken them about three months, setting the date of their arrival in Patna around the end of April, 1847.

When the missionaries arrived in Patna, they found "a very great and a very striking city, full of large buildings, with remains of old walls and towers, and bastions projecting into the river."⁵ A continuous mass of buildings extended about four miles along the river. Patna, at this time, numbered about 310,000 inhabitants.⁶ Persico and his companions were met at the wharf by Bishop Hartmann, who had been anxiously expecting their arrival.⁷ These four new missionaries doubled the number of his staff and he hoped that they would be better and more fervent than his other four missionaries.⁸

The Vicariate of Patna formerly belonged to Agra. The eastern portion of Agra had been separated in 1845, and formed into a distinct Vicariate. The Patna Vicariate was bounded on the north by the Himalaya mountains; to the east, it embraced the Provinces of Sichim and Benares.⁹ The Ganges, beginning in the snows of the Himalayas, flows through the center of the Vicariate, gathering together in one mighty stream, the waters of twelve rivers. At Patna, the river is so wide that the opposite shore cannot be seen. The Ganges is considered a god by the Hindus and the banks of the river are covered with the sacred lotus blossoms. During the rainy season, the river overflows its banks and produces a wonderful fertility. Rice is harvested four times a year. Bananas, sugar-cane and pepper are here in abundance, together with every known tropical fruit. The jungles with their giant trees, which exclude even the light of day, are infested with wild animals and the most poisonous of snakes. Leopards, wolves, hyenas, antelope and gazelles abound in herds and the trees are filled with birds of all description and colors. The banks of the Ganges are alive with crocodiles, which, at times, attain a length of twenty feet. There is perhaps no hotter climate than that of

⁵Heber, Reginald, *Narrative of a Journey through the Upper Provinces of India, from Calcutta to Bombay (1824-1825)*, (Philadelphia, 1828), I, 218.

⁶Letter of Hartmann, in *St. Fidelis Gloecklein*, IV (1915-1916), 285.

⁷*Loco cit.*

⁸*Diarium Missionis Patnanae*, in *Gloecklein*, VII (1918-1919), 2. The other four missionaries were: John Baptist de Malegnano, Damasus of Taurino, John Baptist of Giglio, and Philip of Genoa, of which the first was the only one in whom the bishop could have any confidence. *Ibid.*

⁹Brief of Propaganda, in Imhof-Jann, *op. cit.*, 102.

India. The heat during the three months of March, April and May, is unbearable and it is as though the earth had become a living coal. During this time, work is practically impossible. The rainy season begins at the end of May. At first the rain falls at intervals, but gradually it increases, until, about the middle of June, there is a continual downpour which lasts from thirty to forty hours at a time.

The Patna Vicariate was very poor. The cathedral was in ruins and without any income, as was also the school and seminary.¹⁰ New churches and mission stations had to be built and new schools were necessary.¹¹ The worldly possessions of the Vicar Apostolic consisted in a few old and well-worn vestments, a ring that cost him a dollar, and a gilded crosier made of wood.¹² The Vicariate suffered from the lack of priests, especially of those who were fitted for missionary life in India.

Persico had to have some knowledge of English and Hindu before he could begin any active work as a missionary. Whether he had acquired any English before he came to India, is not known; but during his short stay at St. Fidelis College in Rome, it was hardly possible for him to learn any more than the rudiments of the language. Bishop Hartmann must have insisted on a somewhat thorough knowledge of English, and most probably Persico spent some time in Patna under the Bishop's care. Regarding his difficulty in learning English, Persico remarks in a letter, written in 1853: "The German missionaries learn the English and Hindu languages more readily than the Italians."¹³

Persico's first appointment as a missionary was at Dinapore, an English military station, situated about fifteen miles above Patna on the Ganges. Reginald Heber, Lord Bishop of Calcutta, who visited Dinapore in 1825, describes the place in the following words:

It was whimsical to see peeping out from beneath the palms and plantations, large blue boards with gilt letters "Digah Farm," "Havell, Victualler," etc., "Morris, Tailor," "Davis, Europe Warehouse." The cantonment itself is the largest I have seen, with a very fine quay, looking like a battery to the

¹⁰Letter of Hartmann in *Gloecklein*, IV, 285.

¹¹Imhof-Jann, *op. cit.*, 13.

¹²*Ibid.*

¹³*Archives of the Capuchin Monastery, Altötting, Gloecklein*, II, 282.

river, and I think three extensive squares of barracks uniformly built, of one lofty ground story well raised, stuccoed, and ornamented with arcaded windows, pillars between each. There are also extensive and . . . very handsome barracks for the native troops, which I did not see, those which I described being for the Europeans, of whom there are generally here one King's regiment, one Company's, and a numerous corps of artillery. Everything in fact, is on a liberal scale, except what belongs to the church and the spiritual interests of the inhabitants and neighborhood. The harbor of Dinapore . . . was filled with all kinds of vessels, while one of its banks was covered with warehouses, and the other occupied by a great cattle fair. The heat was intense, and no breath of air could visit us, whilst as evening came on, we were sure of being devoured by musquitoes.¹⁴

There had been trouble at Dinapore before Persico's arrival. His immediate predecessor had been Father Philip of Genoa, who had come to Dinapore in 1845. His knowledge of English was so deficient that he was barely able to hear English Confessions and he never preached. It was not surprising, then, that the soldiers and the rest of the congregation began to complain about him. And, as happens so frequently in such cases, their complaints were soon directed not against Father Philip of Genoa only, but against the Italians in general. They claimed that the Italians never gave instructions, and that they were incapable of defending or properly explaining the Catholic Faith. The result was that in 1846, the entire congregation appealed to Archbishop Carew of Calcutta to send them a different priest. The Archbishop refused to listen to their demands and on the arrival of Bishop Hartmann, Father Philip was recalled and Father Damasus placed in charge of the mission. But Father Philip refused to stay with Bishop Hartmann at Patna and demanded an *obedience* to return to Rome. In the meantime, he returned to Dinapore where he stayed until Persico came to relieve him.¹⁵

When Persico arrived at his mission, he found nothing but a small chapel made of earth. This, the first chapel at Dinapore, had been built in 1819. It was only to be temporary, for in 1834, Father Joachim of Anatolia began collecting money for a new church. He obtained a plot of ground and collected 12,000 Rs,

¹⁴*Op. cit.*, 218.

¹⁵*Gloecklein*, XI, 132; X, 55.

but in 1841, he returned to Rome and for some unaccountable reason took the collection with him.¹⁶ The Governor General had given permission for the erection of a church and school at Dinapore on September 21, 1846, but the cornerstone of the new church was only laid in 1849, two years after Persico had left the place.¹⁷

Father Ignatius must have entered upon his work with the fervor and zeal which characterized everything he undertook. Bishop Hartmann wrote in 1848 that his missionaries, especially the last six (among whom was Persico), were full of fervor.¹⁸ In another letter he writes: "... last year I received four new missionaries, who are doing very good work."¹⁹ Persico's work in Dinapore consisted in caring for the soldiers at the military station, a great number of whom were Irish.²⁰ There were natives to be instructed and for this a knowledge of the Hindu language was necessary. The sermons on Sunday had to be given in English, and this must have been a trying ordeal for the new missionary who was just learning the language.

Persico stayed at Dinapore until the middle of 1848. At this time, Bishop Hartmann came into possession of a new mission, Darjeeling, on the border of the Kingdom of Nepal. Archbishop Carew of Calcutta had been under the impression that Darjeeling belonged to his jurisdiction and had erected a convent and sent nuns there in 1846. The Sacred Congregation decided, however, that Darjeeling belonged to Patna. Bishop Hartmann came to an understanding with Carew and proposed that the convent should remain under the jurisdiction of the latter. It was an unhappy arrangement, for shortly afterwards, the convent was the scene of a quarrel between the chaplain and the four nuns. There was little hope of Darjeeling's prospering under such conditions. Archbishop Carew wished to wash his hands of the whole matter and he asked Bishop Hartmann to take over the convent or at least to give the nuns a confessor from Patna. When Hartmann came to Darjeeling to see how matters stood, he found that the chaplain had deposed the superioress and placed another in her stead; two of the nuns had been suspended from receiving the

¹⁶ *Aktensammlung Hartmanns, loco. cit., XI, 131.*

¹⁷ *Ibid., 132.*

¹⁸ *Imhof-Jann, op. cit., 131.*

¹⁹ *Ibid., 128.*

²⁰ *Biitschrift des Hoch. P. Anastasius Hartmann in Gloecklein, IV, 285.*

Sacraments. Hartmann left for Calcutta to confer with the Archbishop. Shortly after his departure, the former superioress and another nun left Darjeeling, after they had received permission from Carew to accept the invitation of Bishop Oliffe, to come to Dacca and labor in his Vicariate. Hartmann decided to accept the convent under the condition that the new superioress should return to Calcutta. He obtained other Sisters in Calcutta and together with the two nuns, who had decided by this time not to go to Dacca, they started on their journey back to Darjeeling. They traveled up the Ganges on two boats and made the rest of the journey overland on elephants, arriving, after thirty days, at Darjeeling, on April 24, 1848. The superioress left the day following.²¹ Bishop Hartmann, in his *Materialia pro Annalibus Missionum*, remarks that although Archbishop Carew was an excellent man, he had little knowledge of how to govern Sisters.²²

The man whom Bishop Hartmann chose for the delicate task of directing the nuns and the educational institutions attached to the convent was Father Ignatius Persico. This fact alone would indicate the confidence which Hartmann placed in a man who, at the time, was only twenty-five years of age.²³

Persico left Dinapore most likely around the beginning of July, 1848. The journey was a long one and at that time of the year very unpleasant. The heat in India, especially in July and August is very great and, although often broken by heavy rains, this only adds to the danger of contracting the dreaded cholera. Father Ignatius stopped at Purneah, midway between Patna and Darjeeling. The missionary stationed here was the unfortunate Father Damasus, who had not gone to Confession for years, under the pretext that the Bishop never gave him time to go. He had received permission to go to Calcutta for this purpose but failed to go to Confession although he stayed there for a month. Persico stayed with Father Damasus for three days. For some reason, Hartmann wrote him a letter telling him to hurry on his way and Father Damasus, who was suspicious by nature, thought the Bishop wanted to hinder him from going to Confession.²⁴

²¹ *Aktensammlung*, in *Gloecklein*, XI, 51.

²² *Ibid.*, 23.

²³ Imhof-Jann, *op. cit.*, 130.

²⁴ *Aktensammlung*, *Gloecklein*, XI, 130; X, 5. The following year, Father Damasus received an *obedience* for some other mission, but left sooner than

The journey to Darjeeling must have taken close to a month. When Persico arrived at his destination, he could not have imagined a more beautiful country. Situated far up to the north of the Vicariate, Darjeeling borders on the Kingdom of Nepal. To the north of the little town the eternal snows of the Himalayas were visible, while on every side there were tractless forests. The winters were mild and snow fell seldom, while the summer was so cool, that fire was needed in the evenings.²⁵ Darjeeling was also the residence of the Pasha of Sichim. The English Government had chosen the place as a health resort and soldiers and others who were ill were sent there to convalesce. During the dry season, many others also came to Darjeeling to escape the great heat of the plains.

There were two schools at Darjeeling. Only girls of the higher class were taken into the convent school; for, if a child of the common class was taken in, the school would have had to be closed for lack of pupils. As Bishop Hartmann remarks in one of his letters: "This is due to the nature of the English."²⁶ The second school was for boys. It was Persico's duty to direct both institutions and act as chaplain to the nuns. In June, 1848, Bishop Hartmann wrote that both schools were flourishing and even Protestants were sending their children to be educated by the nuns. The Protestants had tried twice to establish a school at Darjeeling but they were forced to abandon the project. Although there were debts on both of the Catholic schools, Bishop Hartmann had hopes of paying them off with alms from Europe. Hartmann stayed at Darjeeling through the summer and returned again during the hot months of March, April, and May of the following year.²⁷

On December 13, 1849, Bishop Hartmann received a letter from Propaganda ordering him to proceed immediately to Bombay as Administrator of the Vicariate. Hartmann received the appoint-

he was permitted. He went bathing in the Ganges against the advice of others who told him the river was infested with crocodiles. One evening, the people heard a blood-curdling scream from the river. They came running to the river bank and though they searched for three days, they could find no trace of the friar.

²⁵Letter of Hartmann in Imhof-Jann, *op. cit.*, 129.

²⁶Letter of Hartmann in *Gloecklein*, IV, 132.

²⁷*Ibid.*, 130, 237.

ment with fear and forebodings. His forebodings of the future are revealed in a letter written at this time:

A division has arisen between the Vicar-Apostolic of Bombay [Dr. Whalen] and a part of his clergy. The bishop was called to Rome and during his absence, I have been entrusted with the administration of the diocese. The state of affairs is almost hopeless. A Protestant Government, schismatics who daily hatch new plots and intrigues; Catholics divided among themselves; this is what I have to look forward to I see before me nothing but sorrows without hope of being able to do any good, while at the same time Patna needs me so badly."²⁸

The letter was a harbinger of storm not only for Bishop Hartmann but also for Persico, whom the Bishop chose to accompany him to Bombay as secretary. Although Persico had undoubtedly heard of the trouble between the Padroado and Propaganda, he could not have foreseen the active part he himself was to play in the bitter struggle between the two parties.

Persico was to meet Bishop Hartmann at Caragola, some distance down the Ganges from Patna. The Bishop had decided to make the trip by water to Calcutta, and thence to Ceylon and up the Malabar coast to Goa and finally Bombay. Hartmann has left an interesting account of this journey in a letter which he wrote on March 31, 1850, three days after he and Persico had arrived in Bombay:

I left Patna on December 28, in an ordinary boat in which it was impossible to either stand or move about. The preparation of our food by the servant cost us many useless tears for the smoke from the fire made our eyes smart with pain. We passed the time in prayer and study. There was a striking difference in the way in which two bishops, a Protestant bishop and myself made the same journey. The Protestant bishop of Calcutta, on his return journey to the city had a steamer of his own at his disposal and a large retinue, including a private physician. In the places where he made his pastoral visitation, access was given to those of the higher class only, and everything was done in grand style. The Catholic bishop, on the other hand, was in a small and ordinary boat, accompanied by his secretary and an only servant, and he could be approached by high and low alike. The people noticed this difference keenly, especially at Shagulpore where we

²⁸Imhof-Jann, *op. cit.*, 140.

happened to stop at the same time. On January 21, we had to walk six miles to Serampore, where we wanted to say Mass. Our boat was held up for six hours on account of the tide. On the way to Serampore, there is a cart with sixteen wheels, made in the form of a disk; on top of this cart there is a pyramidal structure about thirty feet high and twelve to fourteen feet in length and breadth. The entire structure is hollow and one can see through it from all sides. Below, there are many statues of pagan mythology in a sitting posture, on which there are small paintings, obscene beyond description. I could not help express my displeasure that the Government should permit such things to be open to the view of all; the officials are silent because this cart and its obscenities are part of the pagan religion, which has been guaranteed to the natives. Every year this cart is drawn in procession accompanied by many thousand. A few years back, many of the people would of their own free will, cast themselves under the wheels of the cart, dying as victims to the gods. The Government has forbidden such suicidal acts, but the practice continues in those places which are not subject to English rule . . .

We arrived in Calcutta the same day . . . Mr. Lackersteen advised me to take a sailboat rather than a steamer, because the price was only half as much and there were more conveniences . . . At first, the captain of the boat was not over-anxious to take us and he wanted to see me first. Mr. Lackersteen gave a dinner for me and a few of my friends and the captain of the ship was also invited. He arrived about the end of the meal. We were all very friendly toward him and after dinner he whispered to Mr. Lackersteen; "I'm afraid to take the bishop with me; I don't know how to treat him. I'll have to serve him champagne, etc." Mr. Lackersteen laughed and said: "You need have no fear, captain, to take Bishop Hartmann with you; our bishops are used to ordinary food and a hard life." The captain thought that I was a bishop and a lord, and that he would have to treat me like a lord bishop. The business was settled for myself and my secretary at a reasonable price.

After a journey of seventeen days, we landed at Colombo, the metropolis of Ceylon. On account of the bigotry of the chief physician, we were quarantined until March 11. We were finally released mainly through the efforts of friends. About seven o'clock that morning, we entered the boat which the bishop had sent for our use. A crowd of native Christians had gathered on the shore to receive my blessing. The bishop gave us a warm welcome. . . .

We left Colombo on March 21. Our voyage from here on

had the one good feature that we made good headway. We landed frequently on the Malabar coast, where formerly St. Francis Xavier had preached and where the number of Christians at the present time is very large. I had the greatest desire to visit the tomb of the Apostle of India at Goa, but so many difficulties were put in my way, that it was impossible of fulfillment.²⁹

Bishop Hartmann and his secretary arrived in Bombay on Holy Thursday, March 28, 1850, and took up their residence at the rectory of Our Lady of Good Hope. On the desk of the Vicar-Apostolic, Bishop Hartmann found a note written in Whelan's hand. The note read, *Malheur à mon successeur!* "Woe to my successor!"³⁰ They were prophetic words.

²⁹*Ibid.*, 144-146.

³⁰*Ibid.*, 147.

CHAPTER III

PADROADO AND PROPAGANDA

The entire history of Portugal's rule in the Indies is marked with conflict, political and ecclesiastical. An understanding of this darker background in the history of the Church in India must preface any unbiased account of the "ecclesiastical hell" into which Propaganda placed Bishop Hartmann and his young secretary, Ignatius Persico, at the beginning of the year 1850.¹

In the almost feverish rush for new countries which arose in Europe in the fifteenth and sixteenth centuries, Portugal, together with Spain, took the lead. In a short time, Portugal had taken possession of the coasts of Africa, Brazil, India, Malacca, Siam, China, and Japan.

Missionaries followed closely upon the heels of the explorers and did excellent work in evangelizing the newly discovered lands. The work of the missionaries in India was so successful, that in 1534, Goa was erected into a bishopric with jurisdiction extending over all actual and future colonial territory of Portugal from the Cape of Good Hope to China. It was evident from the very beginning, that one bishop could not possibly rule so vast a diocese and soon afterwards, Goa was divided into new dioceses: Cochin, separated in 1557; Angamale, created in 1600 for the St. Thomas Christians; and, the diocese of Mylapore, created in 1606. All of these newly created dioceses were subject to Goa, which was raised to the dignity of an archdiocese in 1557.

As the work of the Church in all these new countries was carried on by the Portuguese, the Popes conferred, first on the Grand Master of the Order of Christ, and afterwards on the Portuguese King, the canonical right of patronage over the Sees created there. This right of patronage, called the *Padroado*, consisted in the privilege of nominating episcopal candidates for the Sees in missionary countries subject to Portugal.

When Goa was raised to a bishopric, the King was given the

¹Unless otherwise stated, the following notes on the history of the Padroado question, are taken from E. R. Hull's scholarly work, *Bombay Mission History with a Special Study of the Padroado Question* (Bombay, 1927).

right of patronage and presentation to the See and to ecclesiastical posts and benefices. When the See of Cochin was separated from Goa, the King received the right of patronage in perpetuity so that any attempt to take it away would be null and void. The See of Angamale was subject to the King's patronage in such a way that it could "not be derogated even by the Holy See itself, except with the express consent of the King for the time being."² The See of Mylapore was subject to the right of patronage in the same terms.

In 1622, the Holy See created the Congregation de Propaganda Fide, the purpose of which was to distribute the missionary energy of various Religious Orders of other nationalities to all those parts of the pagan world which the missionary personnel and resources of the times were unable to reach. The missions of Portugal were to be greatly affected by this plan of Rome. The Portuguese missionary enterprise was exhausting itself and there was little likelihood of progress in converting the countries which had been placed under the dioceses subject to the royal patronage. Propaganda, therefore, sent out Vicars Apostolic into territory that was within the somewhat indeterminate boundaries of the Padroado dioceses. These Vicars Apostolic were entirely independent of the Padroado and received their jurisdiction directly from Rome. They were exempt from the local Ordinaries, and nothing was expected from these latter except to acknowledge the authority of the Holy See in thus exercising its supreme power; the ordinary canonical constitutions of dioceses were superseded in view of the higher needs of the Church and of souls. The Holy See was justified in thus acting, for the privileges of the Padroado could only have been given under the condition that it would not be detrimental to the benefit of the Church and of souls. Nevertheless, every appointment of a Vicar Apostolic was virtually an overriding of the royal patronage and could be protested against: this could give rise to very unpleasant situations, as it actually did. In the second place, friction could arise between the Ordinaries and the Vicars Apostolic, for both were working within the same territory, and the rights of the one were certain to conflict, at times, with the rights of the other.

Centering our attention now on the trouble at Bombay, we find

²Hull, *op. cit.*, 37.

that the thorn in the side of the Padroado subjects was the Vicariate of the Great Mogul, which was later to extend its jurisdiction into the territory directly subject to the Archbishop of Goa. The Vicariate of the Great Mogul was established by Propaganda in 1637, under the title of the Vicariate Apostolic of Bijapur.³ Its territory, extending over the whole of the dioceses of Goa and Mylopre within India proper, stretched down even into the dioceses of Craganore and Cochin. Bombay, however, did not fall within the Vicariate.

The Portuguese had taken possession of Bombay in 1534. Later, by the marriage treaty of 1661, between Charles II and the Infanta of Portugal, Bombay was ceded to the English. The missionaries were Portuguese Franciscans who continued their work under the English and, of course, under the jurisdiction of Goa. However, in 1720, the Bombay Council entered complaints against the Portuguese that they were "stirring up the Roman Catholics of Bombay to oppose the orders of Government."⁴ The Board of Directors resolved to settle the matter by calling in missionaries who were free from Portuguese influence. Accordingly, they entered into negotiations with the head of the Carmelites, the "Vicar Apostolic of the Great Mogul," Fra Mauricio de S. Thereza. The latter referred the matter to the Holy See and the answer came back that the Vicar Apostolic might take charge of the churches provisionally, and so far as the Archbishop of Goa was prevented by the English Government from exercising his jurisdiction in Bombay. According to this decision, then, as long as the Archbishop and his clergy were barred out of the place, Bombay was added to the Vicariate of the Great Mogul; if the English Government decided to recall the Portuguese, Bombay would revert automatically to Goa. In 1720, therefore, the Portuguese were expelled and the Carmelites called in, and Goa submitted to the inevitable. Goa, however, was ever on the lookout to recover Bombay, and in 1789, a reversion of Bombay to Goa was effected. This reversion was contested and the English Government, wishing to patch up what had been torn down, reversed the reversion. When Goa protested this action to the Holy See, Pius VI replied on January

³In 1679, it was described in a papal letter as Vicariate of Bijapur, col-konda and the Great Mogul.

⁴*Hull, op. cit.*, 27.

23, 1793, by the Brief, *Jam dudum*. The policy of the Pope is expressed in the following words of the Brief: "If at any future time the English Government opens the way once more to the exercise of your powers in the island of Bombay, then no one else but yourself shall act as pastor there. But so long as this is not possible, the charge falls to us of seeing lest the sheep, deprived of their shepherd, wander from the ways of salvation."⁵

But matters were not so easily settled by such vacillating policies. Government had thought that the desire for the Padroado jurisdiction was unanimous and expelled the Carmelites. They next imagined that the desire for the restoration of Propaganda was just as unanimous and reinstated the Carmelites. Now they found that there was no question of a unanimous desire for either Padroado or Propaganda. They decided, therefore, to carry water on both shoulders and divided the island, giving half the parishes to the Portuguese and the other half to Propaganda. The result was the unfortunate situation of a "double jurisdiction" in the island. Rivalry and opposition and continual quarrels were inevitable. The result of the division was that neither party was satisfied. The Vicar Apostolic, Fra Pedro d'Alcantara was sick of the turmoil and wanted to give over everything to Goa. Father Hull expresses the unhappy state of affairs in Bombay as follows:

The Archbishop of Goa was keen to get back all the churches. The Vicar Apostolic was equally keen to resign them all into his hands. Rome recognized that the Vicar Apostolic was merely a "stop-gap" so long as the Archbishop was excluded, and would have been glad to see the ordinary jurisdiction restored in its entirety and the provisional jurisdiction done away with. The Court of Portugal was as keen as ever about the right of patronage, and would not readily lose any chance of getting the Padroado altogether *in* and the Propaganda altogether *out* of Bombay.⁶

Down to 1838, the conflict between the Vicar Apostolic and Padroado was of little moment. Both parties would have got on well enough if they could have avoided each other. The main cause of friction was the want of territorial definition. The Vicar Apostolic thought that the Vicariate was outside the jurisdiction of Goa. On the other hand, the Archbishop of Goa took the view

⁵*Ibid.*, 120.

⁶*Ibid.*, 144, 146.

that the Vicar Apostolic was only a supplementary prelate and that he himself could send his priests anywhere in the Vicariate of the Great Mogul and that once settled there, *co ipso* the Vicar Apostolic was excluded. As soon, therefore, as a dispute arose concerning any particular place, there was room for argument on either side. Rome refused to settle the matter by defining the limitations of the archdiocese and the Vicariate, and hence the two parties, weary of wrangling, had to agree to disagree, and try to keep out of each other's way.

Another feature of the struggle that must be mentioned, is the fact that so many Goa priests gave their allegiance to the Vicar Apostolic, while at the same time they covertly received faculties from the Archbishop. Their policy seems to have been to remain at their posts, transferring their allegiance according as the spoils of battle fell to Goa or to the Vicar Apostolic.

On April 24, 1838, Rome threw a bomb into the camp of Goa in the form of the famous Brief *Multa praeclare*. The Brief, in short, made the following regulations: Although the Holy See has only recently created the Vicariates of Bengal, Madras, Ceylon, and Coromandel, there still remain parts within the boundaries of Cochin, Cranganore, and Mylapore, where discipline, morals and faith have suffered for want of a pastor, and where the people have been resisting the Vicars Apostolic and endeavoring to schism. Therefore, the portions of these dioceses which up to this time have not been subject to a Vicar Apostolic are hereby divided between the Vicariates-Apostolic of Madras and Malabar. In future, *all jurisdiction* in these districts shall belong to the Vicars Apostolic. And, moreover, the Archbishop of Goa was not to exercise any jurisdiction whatever over Crangamore, Cochin and Mylapore. Bombay was not mentioned in the Brief.

At this time the Padroado Sees were all vacant and were administered by Vicars Capitular. When the Vicar Capitular of Goa, being spokesman for the others, received the Brief, he immediately wrote a pastoral letter to all his suffragans, clergy and laity, rejecting the same. It was declared to be a hoax foisted upon them by Propaganda. It had not the *beneplacitum regis* and, therefore, even if genuine, must be treated as null and void. The subjects of Padroado were declared free from any obligation to obey the Brief. In fact, it was "resolutely, systematically, and universally

disobeyed by the Padroado Ordinaries and their clergy and laity alike."⁷

A certificate of authenticity was issued by Cardinal Frasoni on December 20, 1838. Thereafter, resistance to the Brief could only rest on questioning the right of the Pontiff to legislate in the way he did and that without the royal *placet*. The result was a state of strife in which both parties were very much in earnest. The Padroado party took for granted their right to hold the churches they had in actual possession, to resist the Vicars-Apostolic as usurpers, and to recover the churches which formerly had belonged to the Padroado. The Vicar Apostolic, on the other hand, believed that the Padroado clergy no longer had jurisdiction in the territory, and that in opposing the Brief, they became schismatic, and, as such, doomed to excommunication together with their congregations, unless they repented. Conflicts arose in which heads were broken and law-suits entered into.

The Brief, *Multa praeclare*, did not legislate for Bombay, neither did it restrict the jurisdiction of the Archbishop of Goa to Portuguese territory—a charge that was later brought against Goa. It did, however, assert the principle that the Vicars Apostolic were the sole Ordinaries in the districts assigned to them and laid stress on the idea that the British Government would not tolerate the patronage of Portugal in British territory. The impression seemed to be that the patronage was doomed in India as far as English territory was concerned and that the Vicars Apostolic would be doing right in extending their jurisdiction. The result was that the Vicar Apostolic of Bombay took steps to have the island of Salsette brought under his jurisdiction. On February 4, 1839, this was effected, though not without a justified protest from Goa.

Fra Pedro d'Alcantara was succeeded on November 9, 1840, by Fra Aloysius Fortini, an Italian. The complaint of the lack of English-speaking priests for the soldiers, apparently led to the appointment, in 1842, of a coadjutor in the person of Dr. Whelan, an Irish Carmelite. The two did not get on well together.

Fortini died on January 5, 1848, leaving behind him Fra Michael Antony, his Vicar General, as administrator. Dr. Whelan, who had left for Europe in 1846, returned to take possession of the

⁷*Ibid.*, 244.

Vicariate. Rome, however, saw that affairs were hopeless under Whelan and he was recalled. These ten years from 1840 to 1850 have been styled the dark ages of the Bombay Vicariate. There was the prevalence of the double jurisdiction, the excitement over the *Multa praeclare*, the affair of Archbishop Torres who had fomented trouble in Bombay and later had been recalled to Rome. It is not to be wondered at, then, that the people had lost all sense of ecclesiastical discipline and were imbued with the spirit of rivalry and a sense of supremacy in Church affairs which enabled them to have their own way if they wanted it, knowing that the Government would invariably side with them. For the people had become accustomed to the "right of electing their own pastors, subject to the confirmation of Government." Father Hull sums up the situation in the following words:

The non-recognition of Padroado ministrations led to the reiteration of sacraments, invalidations and revalidations, which were fatal to domestic comfort and harmony and provoked bitterness between families and against priests. . . .

The tension grew as the years went on till it reached its climax in 1848, when for two years Bombay was ecclesiastically a regular hell—a microscopic miniature of the French Revolution, one might almost call it, with the guillotine left out; and this was the state of disorder inherited by Dr. Hartmann in 1850, which it was his task to face.⁸

⁸*Ibid.*, 370, 371. Regarding the schism, consult also, Jann, Adelhelm, *Die katholischen Missionen in Indien, China und Japan* (Paderborn, 1915).

CHAPTER IV

THE BOMBAY SCHISM (1850-1853)

Such was the condition of Church affairs, when Bishop Hartmann and Persico took up their lodging in the parish house attached to the Church of Our Lady of Good Hope. The morning after their arrival, the whole congregation waited on the new Administrator and the first impression is reported to have been "highly satisfactory."¹ But the Bishop felt that this was only the calm that preceded the storm.

The storm was not long in coming. Whelan, who had a strong prejudice against his Italian fellow Carmelites, had gradually "expelled" them from the parishes. Hartmann reinstated them and a week later he received a protest from the secular clergy. They even questioned his right to appoint priests in the absence of the Vicar Apostolic. Bishop Hartmann replied by discarding the Vicar General and declaring: "From this moment, I take the entire and exclusive administration of the Vicariate upon myself."²

It was now the turn of the press. The Bombay *Catholic Layman*, under the management of two unscrupulous Irishmen, O'Mealey and Cross, held the Bishop up to ridicule, questioned his authority and even demanded his credentials. Bishop Hartmann decided to have his own publication, and he encouraged a journalist named Briggs to start a rival paper called the *Bombay Catholic Standard*. The *Standard*, however, began soon after to wage war against the Carmelites. Hartmann discarded Mr. Briggs and took over another paper called the *Bombay Examiner*, and made Persico the editor.³

More trouble was brewing and Persico was to be in the very midst of the fray. In the division of churches in 1794, the Salvacao Church at Badar was the first one chosen by the Padroado party and it remained in their possession until 1831. In the choice

¹Hull, *op. cit.*, 399.

²*Ibid.*, 400.

³Imhof-Jann, *op. cit.*, 168. At first, the paper appeared as a monthly, but in 1853 it began to appear every fortnight and after 1859 it was published as a weekly.

of pastors for the church, the policy of the English Government was to make this choice depend on the free election of the pastors by the congregation, subject to the confirmation of Government. In 1813, Father Francisco Parras, Vicar General, nominated a friend of his to supersede the Rev. Joao de Silva e Sousa in the office of Vicar of Salvacao. Father Joao had held the office for a number of years to the satisfaction of the parishioners and they remonstrated against his removal, refusing to accept the new pastor. Father de Silva e Sousa was promptly suspended. The parishioners appealed to Government and Government decided in favor of the suspended priest. Father Joao then appealed to the Vicar Apostolic for jurisdiction and for the removal of his suspension which was granted, with permission of Government, but only *per interim* and because the "jurisdiction of the Ordinary Archbishop has been interdicted at Salvacao by the Hon'able Government."⁴ Salvacao thus passed over to the Vicar Apostolic.

A similar affair occurred in 1848, when Fra Michael Antony, Vicar General, tried to introduce a Carmelite as pastor of Salvacao to supersede the incumbent, the Rev. Braz Fernandes. The congregation appealed to Government again. Government replied that the right of pastoral election was vested in the parishioners, it being immaterial whether the pastor "be inducted by the Carmelite Superior or by the Archbishop of Goa." The parishioners thereupon "unanimously" elected the Rev. Bras Fernandes as their Vicar and Government confirmed the election.⁵

The present trouble again came from the parishioners who began complaining against the administration of Fernandes. On October 9, 1850, Bishop Hartmann received a petition complaining that the Vicar's accounts were in the greatest confusion, and asking that a general meeting be summoned. Bishop Hartmann made a visitation to Salvacao and finding that the accounts were in fact very badly kept, reprimanded the Vicar. Fernandes took the reprimand very badly, rallied his followers around him, and began "plotting" against the Bishop. As a result, on October 31, 1850, Bishop Hartmann issued a sentence of suspension and removal and sent it the next day to Salvacao by the hands of Persico, who was accompanied by Father dos Santos, a native priest. Persico

⁴Letter of Peter d'Alcantara, April 1, 1813, in Hull, *op. cit.*, 164.

⁵Hull, *op. cit.*, 376.

and his companion had been warned that they might be attacked so procured the protection of two policemen as a guard for the night.

When the two, Persico and dos Santos, arrived at Salvacao, the crowd which had gathered received them with jeers and immediately took possession of the church. In the *mêlée* that followed, Persico was abused quite roundly and the crowd would have thrown him and dos Santos out of the church if the police had not intervened. Under the protection of the police, the two took refuge in a private house and remained there for the night. In the meantime, the church door was locked and the key hidden so well that it could not be found the next day.

Early next morning, a crowd armed with sticks and clubs began to gather in front of the church, prepared to protect it from the two intruders. Persico appeared on the scene and tried to argue the matter out but it was useless and only stirred up the crowd the more. They milled around him and hustled him so, that he "had to retire (without his hat)."⁶

Persico reported the whole affair to Bishop Hartmann. The Bishop at once consulted the Advocate General, who acknowledged his rights and ordered that he should be assisted in regaining possession of the church. Towards evening, on November 3, 1850, the Bishop, accompanied by Persico and Father dos Santos, together with a body of police, came to Salvacao. As it was dusk, the Bishop refrained from opening the church till next morning and both parties spent the night camped out on the door steps. In the morning, Bishop Hartmann gave orders that the church doors be opened. The crowd received this command with a defiant laugh and blocked the way. Hartmann then told the police to clear the place, but they answered that they had received no orders to obey him. At this moment, a Notary of the Supreme Court of Judicature came on the scene, accompanied by editor O'Mealy. The two were greeted with a cry of triumph by the crowd; the congregation would now decide by vote whether they wanted to be governed by Goa or by the Vicar Apostolic. The Bishop protested against this mode of procedure and then retired to the church of St. Michael where he said Mass. The notary took the votes

⁶*Ibid.*, 410.

of the people (210 out of a parish of 3,200) and, as was to be expected, the votes were against the Bishop. The Goanese Vicar General of the North, with three other theologians, declared Fernandes' suspension null and void and he was reinstated as pastor of Salvacao. The greater part of the congregation remained loyal to Hartmann, although three other priests belonging to the parish took sides with Fernandes.⁷

Bishop Hartmann feared that other churches would soon follow the example of Salvacao and he appealed to Government to protect him in his possessions.

In the last analysis, the Erastian principles of Government were the cause of all the trouble. For Government gave the "right of election" to the parishioners; the parishioners followed the lead of the clergy and when one of the priests had trouble with his Ordinary, it was a simple matter to transfer allegiance to Goa. The Bombay *Examiner* at this time gives the core of the case as follows:

Many Vicars Apostolic in India are suffering from the persecution of an unworthy clergy. The present schismatical spirit is, alas, much more noticeable among the clergy than among the laity. In every parish where the priest is obedient to the bishop, there the people show love and obedience to their prelates; in parishes where the priest is opposed to the bishop, there, as a rule, the people are also against him. From this, it may be seen that the people have received the contagious spirit of schism from their priests.⁸

Another priest, Gabriel Oliveira, a bosom friend of Bras Fernandes, began soon afterwards to show his colors. He created a committee in his parish to pass on every decree and decision of the Holy See, a *placitum regis* of the parish. Bishop Hartmann ordered that the encyclical of the Pope, on the recently opened Jubilee be read in all the parishes, but the encyclical failed to receive the *placet* of the committee and was not read.⁹

On January 20, 1851, Bishop Hartmann received the Government's answer to the Salvacao affair, to the effect that the jurisdiction of Salvacao parish was vested for the present in himself. If the parishioners were resolved to refuse obedience to him, they must have recourse to the regular procedure, namely, they must

⁷Imhof-Jann, *op. cit.*, 172.

⁸*Ibid.*

⁹*Ibid.*

first have the sanction of Government *before* and not *after* the removal of their Ordinary.¹⁰ The letter was ignored by the seceding party who immediately prepared an equity suit in the High Court early in April, 1851, against the bishop and his secretary.

In the meantime, Bishop Hartmann began his pastoral visitation of the Vicariate, accompanied by Persico. The visitation included the entire Diocese from Goa in the south to the borders of Persia in the north.¹¹ On January 22, 1851, the Bishop and his secretary left for Ahmednuggur, where Hartmann had to bless the cornerstone of the new church. They found the Christians here worse even than the Hindus. When the people were asked to take advantage of the visit by receiving the Sacraments, they answered that it was an old custom with them to receive the Sacraments only during Lent and Lent was not far off.

The party returned to Bombay but soon afterwards left for Poona where the Bishop made arrangements for his visitation in the southern part of the Vicariate. From Poona, the journey south was made in a two-wheeled cart which was covered with palm leaves to protect the occupants from the scorching rays of the sun. The road was very poor and very stony, so much so that the Bishop became ill. On the following day, February 20, 1851, the party had a very unpleasant episode. Bishop Hartmann describes it in one of his letters:

We were traveling through tractless wastes and were looking in vain for a shady spot to protect us against the hot sun. About ten o'clock that morning, the heat became unbearable and we could hardly go on. Suddenly in the distance we saw a large tree near the hut of a native. I gave orders to head for the tree, but for safety's sake told the servant to run ahead and ask permission of the natives. They would willingly have allowed us to rest under the tree, but they were afraid the corn would be damaged. The corn could not possibly have been damaged for it had already been cut, and therefore, I gave orders to stop. We had barely reached the tree when three Hindus came running at us roaring like lions.¹²

All pleading with the natives was in vain, it merely made them more angry. They continued on their way until finally they found

¹⁰Letter of Government, January 18, 1851 in Hull, *op. cit.*, 411-414.

¹¹Appolinare, *op. cit.*, 109.

¹²Imhof-Jann, *op. cit.*, 188.

a tree under which they could rest and they stayed there until four o'clock that afternoon.

When they arrived at Satara, the Bishop was worn out from the journey. A Mr. Coxon and his recently converted wife received them with all hospitality and even gave them a carriage with springs in which to continue their journey. They left Satara after two days, accompanied by two men on horses and two on foot as a guard of honor. A three days' journey brought them to Colapore where they found a small Goanese congregation that was subject to Bishop Hartmann's jurisdiction. A Protestant of high rank accompanied the Bishop on his visit to the resident priest. "Human sacrifice," Hartmann writes, "was practised in Colapore until late years. Every year, on the principal feast day, the rajah would sacrifice a young girl. The English Government has since forbidden such inhuman practices." The Bishop administered Confirmation on Sunday. Leaving Colapore, the party traveled towards Belgaum. On their way, they stopped at Gagel, where a well-to-do Mussulman furnished them with a palanquin for which they were very grateful. At Nepani, the prince's tutor gave orders that they should be given the use of the prince's palanquin.

Belgaum was near Goa and numbered 1200 souls of which 700 were Europeans, mostly soldiers. The Bishop found that concubinage was rife among the Christians and took strong measures against the practice. After an eight days' instruction, 243 adults were confirmed and six natives baptized.

The southern visitation ended at Vingorla and the Bishop and Persico returned to Bombay by water, arriving on March 27, 1851.¹³

Hartmann and Persico had hardly arrived in Bombay when Braz Fernandes served them with a summons to appear in court.¹⁴ It was the equity suit regarding the church of Salvacao. The decision was given on June 25, 1851 and the full text published in the *Examiner* of July 1, by Persico. The plaintiffs pray:

. . . that the church property should be vested in trustees for the benefit of the parish; that the Rev. Braz Fernandes may be declared by the Court to be their lawful Vicar; and that Dr. Hartmann may be restrained from intruding another

¹³*Ibid.*, 192.

¹⁴*Ibid.*, 192.

Vicar into the parish, or intermeddling with the church property, and from deposing the said Braz Fernandes without the consent of the majority of the parishioners.¹⁵

The Court decided in favor of the complainants with the result that the seceders retained possession of whatever they had usurped. Salvacao thereby passed from Propaganda to the Padroado. The decision of the Court as summed up by Father Hull is:

The parishioners are actually in possession, and the Bishop is not in possession. This being so, the "spiritual thunders" of the Bishop cannot displace them, nor will the police be available to enable the Bishop to take forcible possession. Hence the Court has no ground for taking action, and declines to do so, alleging that it has no right or jurisdiction to do so. On the other hand, the Court does not in any way declare that the seceders are in the right in behaving as they have done.¹⁶

Whether they were right or wrong in doing what they did, they nevertheless had and kept possession of the church.

In October, 1851, Bishop Hartmann accompanied by Persico, made the pastoral visitation of the northern part of the Vicariate. The visitation was to begin at Karachi, at the southern part of Baluchistan. The journey to Karachi must have been made by water. From here their journey led through the swamp lands of the Indus delta to Hyderabad, a city of 30,000 inhabitants. The night before they arrived in the city, they spent in the jungles "surrounded by snakes and tigers."¹⁷ They returned to Karachi where they had to wait three days before they could get a boat for Mundawi, on the Gulf of Cutch. The journey to Mundawi, as a rule, only took twenty-four hours but on account of the stormy sea, it was four days before they arrived. Jurnea was the next stop and then Rajkote. On the way to Rajkote they were overtaken by a storm. Deesa, Ahmedabad, Baroda, and Surat on the Gulf of Cambay, ended the journey and they arrived in Bombay on December 17, 1851, tired and travel-worn.¹⁸

The *Madras Catholic Directory* for 1851, gives us the following information concerning the work of Persico in Bombay: "Coloba

¹⁵Hull, *op. cit.*, 415.

¹⁶*Ibid.*, 418.

¹⁷Letter of Hartmann in Imhof-Jann, *op. cit.*, 202.

¹⁸*Ibid.*, 203.

from Fort George 2 miles S. Military Chapel built by Government. Catholic pop. 600 of whom 200 were Europeans.—The Rev. Fra Ignatius Cap. Miss. Secretary to the Right Rev. D. Hartmann. Government allowance for ministering to the spiritual wants of the European troops at Fort George and Colaba Rs. 150 a month.”¹⁹

Persico's work also included preaching to the faithful, both English and Portuguese. By this time, therefore, Persico must have acquired a fair mastery of English especially taking into account the fact that he was editing the Bombay *Examiner*.

For a time, Persico was professor and director of the episcopal seminary attached to Fort Chapel.²⁰ When or how long he held these two offices is not known. Most likely it was during the year 1852 before his departure for Rome. If so, it was during his directorship that the revolt of October 6, 1852, took place in the Seminary. “Six of the students formed a ‘cabal’ and jointly signed a Memorial to Dr. Hartmann, and in consequence were expelled, thus reducing the number of seminarians to five. . . . The natural consequence was that they transferred their allegiance to the Goa party, and on the arrival of Bishop Mata presented themselves to him for Holy Orders. . . .” The seminary had always been criticized. In 1848, complaints were handed into Government that the monthly allowance was not being properly used. Again in 1850, the secular clergy, among other complaints, charged the Bishop with reducing the number of seminarians and pitching the studies at a low standard for the sole purpose of keeping down the secular clergy thus giving color to his policy of not promoting them to responsible posts. The charges against the seminary were unfounded.²¹

¹⁹Hull, *op. cit.*, 407.

²⁰Appolinare, *op. cit.*, 109.

²¹*Ibid.*, 486, 487.

CHAPTER V

PERSICO AS ENVOY (1853)

The arrival in Bombay on February 1, 1853, of Jerome de Mata, Padroado Bishop of Macao, fanned the flames of discord anew. Dom Joachim de S. Rita had been appointed Administrator of the diocese of Goa by Archbishop Torres who had been recalled to Rome. The appointment seems to have been invalid, but in the end Rome approved his former acts thus legitimizing his position.

As the vacancy of the See was prolonged, the number of candidates for Orders increased and it was thought advisable to call in the nearest Padroado bishop to ordain them. Accordingly, after all arrangements had been made (it seems with the knowledge of Propaganda), Bishop Mata was asked to take the ordinations.¹ His visit caused no trouble until he arrived in Bombay, where he conferred minor orders and subdiaconate on certain candidates, preached a vigorous sermon on the following Sunday against the "Propagandists," and administered Confirmation in certain Padroado churches. Bishop Hartmann protested again this usurpation of his episcopal authority and in a letter to the Bishop reminded him of the *Multa praeclare* and the allocution *Inter novos* of 1851:

. . . . I deem it proper to transmit some documents relative to Bombay and Salsette, from which it is certain that the Vicar Apostolic of Bombay or his vice-regent has by the Holy See been constituted and confirmed the sole legitimate Ordinary of both islands. I transmit these official letters, praying that Your Lordship will be good enough to show me the Apostolic mandate by which the provisions made therein are expressly revoked or derogated from, and in virtue of which Your Lordship is authorized by the same Holy See to exercise in the aforesaid islands episcopal functions or jurisdiction. Until Your Lordship produces to me such an Apos-

¹Nothing in the documents appears to suggest that episcopal functions outside Goa itself were contemplated, at least by the Roman authorities. In a footnote, Father Hull quotes the *Monimenta Goana Ecclesiastica* (1918) as follows: ". . . Msgr. de Mata consented to go to Goa in order to visit and confirm the Portuguese Christians of the Padroado in the whole of the Archdiocese of Goa." *Op. cit.*, 423.

tolic mandate, I solemnly, publicly and officially protest against all episcopal acts or jurisdiction which Your Lordship has exercised or may exercise in both islands; and I shall immediately refer the case to the Holy See.

I entreat Your Lordship, through the bowels of God's mercy, not to disturb peace and union or ecclesiastical order, and not to hold part with the manifestly disobedient.²

Bishop Mata acknowledged the letter but continued his episcopal ministrations. Fearing for the worst, Bishop Hartmann decided to cut the Gordian knot by sending a delegate to Rome to place the affair personally before the Holy See. In a pastoral circular to the clergy of the Vicariate, published on February 23, 1853, he writes:

The spirit of schism is again rearing its head on all sides with its characteristic symptoms. We have acquainted all the Vicars Apostolic of the schismatical proceedings of the Bishop of Macao, and requested their wise counsel and combined efforts. Seeing, however, the evil on the increase . . . we have resolved to depute our Secretary, the Rev. Fr. Ignatius, to Rome, in order to make a formal complaint to His Holiness and obtain the adoption of such measures, etc. . . . It is impossible to govern if priests and bishops, despising the Apostolic decrees . . . seduce the people to revolt against the established hierarchy appointed by the Holy See; in a word, cause schism and scandal. Abiding by the orders of the Holy See, we solemnly and publicly protest against the episcopal acts which the Bishop of Macao has practised in these islands. . .³

Accordingly, Persico left Bombay on March 1, 1853. Bishop Hartmann gave him the following letter of instructions to take with him to Rome:

March 1, 1853

Very Rev. Father:

By this letter I appoint and declare your very Rev. Paternity, my delegate to the Holy See, to the Sacred Congregation de Propaganda Fide and to the Superiors General of our Order for the affairs mentioned below. Wherefore your very Rev. Paternity shall remain under my obedience as heretofore and shall transact affairs according to my command and mind; you shall give me an account every month, and shall receive further instructions. You shall return to India

²*Ibid.*, 424.

³*Ibid.*, 426.

after you have ended the business for which your very Rev. Paternity has been appointed, or when you receive the command to return.

Your very Rev. Paternity shall above all expose to the Holy Father and the Sacred Congregation de Propaganda Fide the evils which the coming of Bishop Mata has produced in both islands; still greater evils are to be feared. Wherefore, an effectual remedy is to be applied without delay; Bishop de Mata, Ant. Mariano Suarez and Braz Fernandes must be placed under censure. Unless such a remedy is used, the Catholic cause is lost in these islands and the bishop and his missionaries can hardly remain. Lengthy negotiations or admonitions, however threatening, are of little avail.

Your very Rev. Paternity shall tell how the native clergy was treated by myself and how, at least in the island of Bombay, it leans towards schism and instills by word and example the spirit of schism and insubordination into the people. You shall tell what was to be feared two years ago regarding the two churches of St. Michael and the Holy Rosary; what is to be feared at this moment, what happened during the four months in the church of St. Michael, the kind of legation that came to me on February 28, and how the people are everywhere aroused so that the Bishop is unable to administer punishment, either because the people will not obey him, or immediately go over to the schismatics. You shall also tell of the scandalous revolt of the seminarians in the years 1840 and 1852.

Your Reverence will tell how impartial and patient I have been, so that I have become all things to all men; how I silently took insults and showed my enemies all charity; what I have done for education, for the rooting up of factions and removal of unjust quarrels, and how for all this I received in return the ingratitude, hatred and persecution of the Carmelites, the Irish and the native clergy so that all have abandoned me. You shall reveal how all have accused me of partiality—the Irish that I favor the Carmelites, the Carmelites and their friends, that I favor the Irish. Wherefore, your Reverence shall declare openly and plainly that I cannot take upon myself the government of this mission, and if I have already been nominated Vicar-Apostolic, you shall, in my name, resign the appointment, and shall protest against any honors that are to be conferred upon me.

Your Reverence shall make known the necessity of a college [*scl.*, at Bombay], and shall see that Rev. Father Strickland comes without delay. You shall also see to it that other Carmelite missionaries are sent here immediately, otherwise, if even one should tarry or leave, it would be the cause of great

confusion. Care should be taken that the Carmelite missionaries be not allowed to leave unless other duly qualified missionaries are prepared to take their place.

Your Reverence shall tell the superiors of our Order of the neglected state both of Agra as well as Patna regarding the number and quality of the missionaries; they should recall the letter which I sent to the Definitory two years ago and the other letter which I sent to the Procurator General last year. Therefore, unless the Seraphic Order shows a greater zeal for these missions, little will be done for the cause of religion, and in a short time the mission of Agra will suffer the same fate as that of Madras. How many congregations are there without a priest, or at least without a duly qualified one? The Irish clergy have already established themselves there.

May God and His holy Angels be with your Reverence on this journey and in all things may my blessing be ever upon your very Rev. Paternity. May we be found always united in prayer, in solicitude for the cause of religion and in the sweet Hearts of Jesus and Mary.

*Given at the episcopal residence of Our Lady of Mt. Carmel.*⁴

Persico arrived in Rome on April 18, 1853. He immediately went to Propaganda and acquainted the Congregation with the evil state of Church affairs in India, at the same time suggesting what measures were to be taken to put an end to the "schism."⁵ During this time, Persico wrote a small brochure entitled, *Memoria Sullo Scismo Indo-Portuguese*, in which he gave the causes of the scandalous state of the Church in India, laying stress on Bishop Mata's actions in Bombay.⁶

While Persico was making his report in Rome, Bishop Hartmann was locked up in the church of St. Michael. The advent of Bishop Mata had aroused an anti-Propaganda movement among some of the parishioners, and this, together with a quarrel over a priest who had refused Communion to the dissentients, led to a movement for handing over the church to Goa. On Sunday, March 15, 1853, the Bishop suddenly appeared before the church

⁴*Archives of the Diocese of Allahabad, India, in Gloecklein, II, 280, 281.*

⁵Imhof-Jann, *op. cit.*, 255.

⁶The brochure was published anonymously "da un Missionario delle Indie Orientali. Italia, 1853." Italy and not Rome was given as the place of publication because the anti-clerical attitude of the Kingdom of Sardinia forbade an open attack against the State absolutism of Portugal. Appolinare, *op. cit.*, 111; *Gloecklein, XI, 141.*

and found Braz Fernandes awaiting the process of voting. Before anyone knew what had happened, Bishop Hartmann had taken his seat before the altar. Then he complained of the proposed act of treason, and declared that he would die before he would leave or give up the church. At eleven o'clock that night, Mr. O'Mealy came and insisted that the Bishop leave the church, but Hartmann insisted on staying, together with a few companions. The doors of the church were closed by the police and the Bishop and his party were locked within. On March 20, 1853, the dissenters nailed up the sacristy door, leaving the Bishop with eighty adherents inside. When they found Hartmann handing out a letter through one of the windows, they nailed the window shut, and the Bishop's arm was hurt in trying to prevent it.⁷

The whole party remained locked up in the church until Easter Sunday, March 27, 1853, when the magistrate ordered the doors to be opened. Bishop Hartmann appealed to Government and the matter was taken to court. The final judgment of the court, given on June 20, 1854, was that the church did not belong to the Bishop.

It was during this "voluntary imprisonment," on April 12, 1853, that Bishop Hartmann prepared a circular to the Vicars Apostolic of India suggesting a joint petition to Rome on the matter of the "schism." The draft petition began with a short survey of the case with special mention of Bishop Mata and his episcopal function. The Holy See was asked to excommunicate Bishop Mata; to force the priests under pain of a like censure to submit to the Vicars Apostolic; to publish this excommunication in consistory; and to force Portugal to renounce the "*jus patronatus*." The letter ended with the appointment of the Vicar Apostolic of Mangalore, Father Pucinelli, S.J., and Father Ignatius Persico to present the petition to the Holy See together with other documents. The petition was signed by nearly all the Vicars Apostolic and sent to Rome near the end of May, 1853.⁸

In the meantime, Persico was trying to persuade the Holy See to take steps against the "schismatics." Shortly after Persico's arrival in Rome, Bishop Hartmann's account of the events at St. Michael's must have arrived. The Holy See decided that immediate action had to be taken, and issued two documents which they

⁷Hull. *op. cit.*, 427, 428.

⁸*Ibid.*, 436-438.

hoped would settle the whole matter. The first was a solemn *monitorium* addressed to Bishop Mata personally. The other was the answer to Bishop Hartmann's appeal to Rome as set forth by Persico, the famous Brief *Probe nostis*.⁹

The *Probe nostis* was published on May 9, 1853, three weeks after Persico's arrival in Rome. The Brief begins with a short survey of the Holy See's provision for the Church in India by means of Vicars Apostolic, etc. The Bishop of Macao is then taken to task, and four priests who, "for a long time have labored to foment and propagate dissension and to establish the schism," are mentioned by name: "Mariano Antonio Soares, who boasts himself to be the Vicar General of the Goa prelate in the Bombay territory as also the priests, Gabriel de Silva, Braz Fernandes, and Joseph de Mello." Pius IX then declares that if these four priests do not return within two months from the publication of the Brief, they are to be considered as having incurred the censure of *suspensio a divinis*, and to be "schismatics, and separated from the Catholic unity." Furthermore, to obviate any attempt to brand the Brief as something issued from Propaganda without his knowledge, the Pope declares that the Brief is issued *motu proprio* and with full knowledge. The *placitum regis* which was appealed to in the case of the Brief *Multa praeclare* is called "a foul and impious device."

As regards the legitimate pastors of the East Indies, there can be no doubt or wavering, and in order to remove all subterfuge, the Pope declares: ". . . positively and as far as it may be necessary, that in the established Apostolic Vicariates, all authority and jurisdiction belongs and is committed to our Vicars or Administrators, and those of the Holy See; in such manner that nobody whosoever shall be allowed to exercise in the same territories sacred functions, or to administer the sacraments save with their leave and faculty." The brief ends with the hope that after it has been published, "the erring will return to the way of justice and salvation, and that We may everywhere behold but one sheepfold."¹⁰

When Mata received the Brief, he immediately protested that the charges against him were calumnious and in a Pastoral Letter he wrote: "*Insurrexerunt in me testes iniqui; et mentita est iniqui-*

⁹Hull, *op. cit.*, 439.

¹⁰*Ibid.*, 413-445.

tas sibi." The four priests mentioned in the Brief went on with their ministrations as before, ignoring the *Probe nostis* altogether while Joachim de S. Rita, Vicar Capitular of Goa, issued a Pastoral in which he forbade the publication of the Brief. The Court of Lisbon, as was to be expected, was greatly surprised when it learned the Brief had been published and in reply declared the four priests *benemeritos de patria*. The Brief had the one good effect that it caused a lull in the storm and by 1855 things were more or less settled down. Pius IX commanded Archbishop Amorim Pessoa of Goa to execute the Brief in 1862, and this the Archbishop did although much against his conscience; the four priests eventually submitted.¹¹

In the summer of 1853, the religious question involved in the "schism" came up before the English Parliament. The law of India (*i.e.*, of the British West India Company), demanded equal rights for all religions. In practice, however, this meant all except the Catholic religion. The Government had been appealed to again and again and Government answered with promises that were never fulfilled. The Vicars Apostolic, therefore, delegated Persico and Father Strickland, S.J., to present a petition to Parliament asking equal rights for the Catholic Church in India. The two Commissaries left for London around the end of May, 1853.¹² On June 24, 1853, they presented their petition to the House of Commons and the Court of Directors of the British West India Company and together published a brochure¹³ in which they gave the content of their petition to Parliament and the condition of the Church in India.

The introduction to the *Notes* reads:

In a debate lasting several days, on the important question of the government of India, the actual state and condition of the established church of India has been put before the House in detail; but there has not been the slightest allusion to the existence of the Catholic Church in that vast empire.

In order to put this important side of the matter in its true

¹¹*Ibid.*, Part XVI *passim*.

¹²Imhof-Jann, *op. cit.*, 288.

¹³*Notes on the Present Position of Catholics in India being the Matter of Petition Presented to the House of Commons and the Court of Directors of the Honourable Society of West Indies, on June 24th, by Rev. William Strickland, Rev. Ignatius Persico, Commissaries of the Vicars Apostolic of India.*

setting, we have issued the following notes. They form the ground-work of the petition presented to the House of Commons and the Court of Directors of the Honourable Society of West Indies.

The subject treated in these pages is important because it treats of the just and equitable governing of 690,000 subjects of British India, not counting the women and children.

This report has been issued by two Catholic ecclesiastics who have lived in India for a number of years and who have devoted their lives and energies to the care of English Catholic soldiers in that country. It is their hope that this report will be received with that spirit of equity which has always guided the actions of a great and powerful nation. The whole system of government in India at present is being subjected to a close scrutiny and the writers sincerely hope that the claims of the Catholic Church as here set forth, will be received favorably and without prejudice. The two ecclesiastics in question have been duly authorized as representatives of the Vicar Apostolic of India to place their petitions before Government and demand that justice and that protection which the law of India prescribes.¹⁴

The brochure then explains the condition of the Church in India; Catholic chaplains are not on an equal footing with Anglican chaplains and they receive less pay; Catholic soldiers are treated unfairly, and above all, the Vicars Apostolic are not acknowledged by Government.

The *Notes* conclude with a summary of the petition:

In conclusion, we sum up our petition as follows, and we beg to propose and ask:

- 1) That Government acknowledge the Vicars Apostolic of India in the same manner as they are acknowledged in the British Colonies, and that as a result of this recognition, they be made capable of corresponding freely with the same government in ecclesiastical affairs; that Government receive from each and every Vicar Apostolic a list of those priests who have been authorized to act as chaplains or missionaries, and that only those who are so authorized and entered on the official list of the Vicar Apostolic, receive support and salary from Government; furthermore, that the Vicars-Apostolic be treated according to their rank, at least in those districts in which they have mission stations or chaplains.
- 2) That in all cases where a Protestant chaplain is appointed for a certain number of Protestants, a Catholic chaplain be

¹⁴Launey, Adrien, *Histoire des Missions de L'Inde* (Paris, 1898), III, 267.

appointed for a like number of Catholics; and, that Government allow the Catholic Chaplain half the amount which the Anglican minister receives; the expenses for traveling purposes should be the same for all;

3) That all allowance and contributions of Government for churches, cemeteries, orphanages, schools, and for public worship be equally distributed among Protestants and Catholics according to their proportionate numbers;

4) That in all mixed European institutions, hospitals, prisons, schools, military and civil institutions which are open to Catholics and Protestants alike, the Catholic chaplain be allowed the same freedom of access and the same facility for instructing their subjects as are given the chaplains of the Anglican Church.

5) That all Government funds for the public institutions or for the instruction of natives, be equally divided according to the proportionate number of adherents of the different religions in the districts in which the schools are to be erected.

Confident in the justice of their claims and with the hope that they will be taken into consideration, we, the undersigned Commissaries of the Vicars Apostolic of India, submit this document setting forth the present position of the Roman Catholics in India, to all who share in the government of this vast empire.

IGNATIUS PERSICO,
*Missionary Apostolic and Secretary
of the Vicar Apostolic.*

WILLIAM STRICKLAND,
Missionary Apostolic and Chaplain.

*Commissaries of the Vicars Apostolic of India*¹⁵

Persico and Strickland remained in England until the middle of August. During this time, Persico managed to make the acquaintance of all the outstanding members of Parliament, a diplomatic move that must have helped the cause of the Vicars Apostolic.¹⁶ At the beginning of August, 1853, the two Commissaries had finished their business before Parliament. In a letter to the Rev. Michael Haselbeck of Straubing,¹⁷ Persico tells of his intention to return to Rome:

¹⁵Launey, *op. cit.*, 275.

¹⁶Imhof-Jann, *op. cit.*, 423, note.

¹⁷Michael Haselbeck was the Provincial of the Capuchin Province in Bavaria. He was born February 2, 1818 at Straubing, Bavaria, ordained in 1841, became Provincial at the age of thirty. He died at Altoetting, on February 21, 1870. Cf. Eberl, Angelikus, *Geschichte der Bayrischen Kapuziner-Ordensprovinz* (Freiburg im Breisgau, 1902), 583.

L. I. Chr.

London, August 10, 1853.

Very Rev. Father:

I received the letter of your Paternity of July 4, from which I gather that it would be for my benefit to go to Munich. Since the business, which has kept me here for more than two months, has ended, I want to inform you that, God willing, I shall leave for Bavaria (*via* Ostenda), the eighteenth of this month. I earnestly beg that everything shall be so arranged that my stay in Bavaria will not exceed ten days; for it is very important that I be in Rome at least towards the end of September. There are certain affairs of very great importance that I must transact in the Sacred Congregations.—The most Rev. Hartmann writes that he must have missionaries for Bombay, and it would please me greatly if two, or at least one, from the Bavarian Province would go to the mission of Bombay, and I most earnestly beseech your Paternity to make this sacrifice for the good of the mission. Experience shows that the German missionaries learn the English and Hindu languages more readily than the Italians.

Hoping to see and speak with your Paternity in the very near future, I commend myself most earnestly to your prayers, and with the greatest respect, I remain, the humble servant in Christ of your very Rev. Paternity,

FR. IGNATIUS A NEAPOLI
Capucinus.¹⁸

Haselbeck was interested in the missions of the Order and in their reform. As a Provincial of the Bavarian Province, he had drawn up a list of provincial statutes and was very anxious to have them approved by the General Definitory of the Order in Rome. This may have been the reason for Persico's visit to Bavaria, for in another letter to Haselbeck, Persico makes mention of certain matters that he is trying to put through for him in Rome:

L. I. Chr.

Rome, September 12, 1853.

Very Rev. and dear Father:

I wish to inform your Paternity that (*D.G.*), I arrived safe and sound in Rome on the Nativity of the B.V.M. My journey took me over Lake Constance; through Rorschach and Chur in France; Como and Milan in Lombardy; and then Genoa, Florence and Romagna. During the last four days I have been very busy; it seems as though I have spent all my time in the S. Congregation de Propaganda. In a day or

¹⁸ *Archives of the Capuchin Monastery in Altoetting, in Gloecklein, II, 281, 282.*

two, I shall visit the Holy Father. I have already begun work on the Constitutions of the Institute of the Blessed Virgin Mary and also on the matters which your Paternity wants settled. You may rest assured that I shall move every stone to bring everything to a happy conclusion. I intend writing you again in a few days. Perhaps your Paternity will have to take charge of a monastery in England. It has not been definitely settled as yet, but if it should be, make the sacrifice for the good of religion.

If any letters have come from England for me, see that they are sent here to me. I shall never forget the kindness and interest which your Paternity has shown for the missions. The friendship which binds us together is a source of great consolation to me in my daily work.

I am very busy, so you will please pardon me for writing so little and so improperly to your Paternity. May the Lord be with you; commending myself to your prayers, I am affectionately and with the greatest respect,

P. T. ADM. REV.

Infimus in Xto Servus

FR. IGNATIUS A NEAPOLI
Capnus. M. A. (19).

¹⁰*Ibid.*, 282, 283.

CHAPTER VI

ATTEMPTS AT REFORM OF THE CAPUCHIN MISSIONS (1863)

Persico's business in Rome consisted in presenting to the Sacred Congregation and to the Superiors of the Order some plan for the reform of the Capuchin missions in India. As soon as Persico arrived in Rome, he began working on a plan. The task was not an easy one, for the missions of the Order had suffered greatly as a result of the anti-Catholic spirit which had swept over Europe in the first half of the nineteenth century, wreaking havoc on all Religious Communities. Whole provinces of the Capuchin Order were wiped out, monasteries were suppressed and as a consequence the religious spirit was at a low ebb. At a time when the Order was trying to recuperate from the losses thus inflicted upon it, it was but natural that the missions entrusted to it should suffer. The Superiors of the Order had but one end in view, and that was to restore regular observance within the different provinces themselves. They were little concerned with the missions and little selection was made in sending Religious to the missions.¹ The Procurators General of the Order tried to instil a better missionary spirit into the provinces but they met with opposition.

The reform of the missions was to consist chiefly in obliging the cismontane provinces to provide for the missions.² Of the ninety-three missionaries sent to the foreign missions between 1858 and 1862, eighty-eight were from the different provinces of Italy.³ But the Italian provinces were incapable of manning all the missions, nor was it possible for the Italian missionaries to adapt themselves to the various and varied conditions of the different countries which they had to evangelize.

Father Eugene de Rumilly, as Procurator General, did much

¹The Superiors of the Order were not entirely to blame for the state of the Capuchin missions. Father Andrew de Aretio complained bitterly of the practice of Propaganda in recalling missionaries and sending them back to their provinces, without sufficient reason and without consulting the Superiors of the Order. *Gloecklein*, II, 243.

²Alencon, *op. cit.*, 148, 149.

³*Archivum Generale Ordinis*, in *Gloecklein*, II, 239.

towards raising the standard of the Capuchin missions. In 1837, he succeeded in erecting a college and novitiate in Lyons for missionaries going to the Levante. In 1841, he founded a college in Chambéry, Savoy, and St. Fidelis College in Rome. In 1849, however, St. Fidelis had to be given over to the French troops.

The greatest difficulty was found in reforming the missions of the Order in India. Bishop Hartmann wrote to Cardinal Frasoni and to the Superiors of the Order, giving them a vivid description of the state of affairs in India. The Bishop feared that if measures were not soon taken, the missions there would be lost to the Order and given over to the French and Irish clergy. Moreover, the Italian clergy laboring in the missions of India had difficulty in learning the English language, while the French did it with ease. The evils which befell the Discalced Carmelites in Bombay, the Bishop attributed to a neglect of English and also to a neglect of schools. Missionaries who had been sent directly from the provinces, he found lacking in discipline. Bishop Hartmann suggested that each of the missions be entrusted to the care of an individual province. The suggestion was not received at the time, although the adoption of this plan thirty years later, led to the flourishing condition of the Capuchin missions at the present time.

Undaunted by this failure, Bishop Hartmann decided to take advantage of Persico's presence in Rome to see if something could not possibly be done to better missionary conditions in India.⁴ On November 14, 1853, Hartmann wrote as follows to Persico:

If energetic steps are not soon taken, our missions in India, like that of Madras will be lost and that to our shame. I consider Agra as practically lost. When will our superiors wake from their lethargy? The good of religion must ultimately be preferred to that of one Order. It is not only ridiculous, it is foolish to take on other missions while at the same time we are on the verge of losing Agra (*vergognosamente*). But why do I waste my time? . . . it will be absolutely necessary for the Holy Father himself to take some decisive steps.⁵

Persico drew up a plan in which he endeavored to prove the

⁴*De Reformatione Missionum, Gloecklein, II, 244, 245.*

⁵*Propaganda Archives, Indie Orientali 1853-1854. Scritture riferite. Vol. 14, in Gloecklein, II, 254.*

necessity of having a college either in Germany, Austria, or France, to supply missionaries for India. The plan was very detailed and outlined even the daily life of the students at the college. The following is taken from the memorial presented by Persico to Cardinal Fransonì, Prefect of the Congregation de Propaganda Fide:

HOW THE MISSIONS IN THE EAST INDIES ENTRUSTED TO THE CAPUCHIN ORDER, OR WHICH SHALL BE ENTRUSTED TO THE ORDER IN THE FUTURE, CAN MORE EASILY BE PROVIDED WITH A GREATER NUMBER OF QUALIFIED MISSIONARIES.

The great lack of qualified missionaries in the East Indies must move every Catholic, especially if he be a priest, and above all if he be a member of the Capuchin Order, to which this part of the Lord's vineyard is entrusted, to think seriously of a way in which the Kingdom of God can more easily and quickly be spread in these vast regions. This it is that gives me heart, though the least among the sons of the Seraphic Father . . . to submit with most humble submission the following proposition to the Sacred Congregation de Propaganda Fide.

In order, therefore, that the Christian religion may spread in the missions of India, especially in those missions which belong to the Capuchin Order, it will be well to bear the following facts in mind. Above all, since the countries in India where the Capuchins are labouring, are English possessions, the English together with the Hindu languages, is very widespread, and, as such, it is necessary that these countries be given to those religious of the Order, who by nature have facility in pronouncing the words of both languages; such are the Germans and Illyrians who from birth are accustomed to hear and use a language made up of guttural and palatinal sounds; half of the words of the English language are derived from teutonic words. For this reason, I am of the opinion, that these missions should be taken care of by Capuchins from the Provinces of Austria, or Vienna, Bavaria, Bohemia, Styria, France, Switzerland, Tyrol, etc., for they can acquire a fluency in these languages much more quickly than others.

Moreover, since they have lived among Protestants, they are better acquainted with the national characteristics and religious tenets of these latter and know how to treat with them and dispel their errors. This is an important requisite for the missions in India.

It is well known that peace and concord among missionaries is a source of great good, while on the other hand, continued quarrels and dissensions exercise a bad influence on the missions themselves. It is hoped that there will be unity among the missionaries if men of the same nationality, language and temperament are placed in the same Vicariate, under the direction of a Vicar Apostolic of the same nationality.

Finally, that the foregoing suggestions may properly be carried out, it will be necessary to erect a separate college in Austria, or Bavaria, to which all aspirants to the Missions of India must be sent to receive an education in keeping with their calling. The result will be that more men will offer themselves for the missions, knowing that they will receive their training in their own country and that they will be sent to a mission where they will labour among their fellow countrymen.

In order to found such a college, it will be advisable to send a Commissary Apostolic endowed with the necessary qualities to Austria or Bavaria, to negotiate with the Government and especially with the Emperor so that he may hand over one of the suppressed monasteries to be used as the college for the missions. If such a monastery cannot be procured, then it will be an easy matter to find some one province where the number of religious is not sufficient to fill all its monasteries.

The maintenance of the future missionaries will hardly cause any difficulty since the Capuchins in Austria receive a pension from the Government. But how shall those who are not Austrians be provided for? For the time being, it may be hoped that the piety of the Emperor may be prevailed upon to support them also. The plan of the college would be as follows:

I. PERSONELLE OF THE COLLEGE.

The college shall consist of a president, his vicar and secretary, and two professors. The president shall be appointed by the Congregation de Propaganda Fide (it would be well if this office were entrusted to some well-deserving Vicar-Apostolic), and under its immediate jurisdiction.

His duty would consist in procuring missionaries from the above-mentioned provinces, directing the college, etc.

The Vicar would take the place of the president in his absence, and act as economer of the college.

The Secretary would be a lector and at the same time librarian.

One of the professors would teach English and Hindu, the other, polemics and the geography and history of India.

II. ORDO DIURNUS COLLEGIALIUM.

Rising at four-thirty o'clock, recitation of Litany of All Saints, half hour's meditation, four Little Hours, and Convent Mass.

10:00 - 11:30 class. 12:00 dinner at which the Gospel and a selection from some polemic work in Latin is to be read and then the Annals of the Propagation in English.

2:00 Vespers and Compline. 3:00 - 4:00 class. 6:00 Meditation, at end of which there is to be the Rosary and Litany of the B. V. M. 7:00 supper. 8:00 Matins and Lauds. Night Prayers.

III. ORDO HEBDOMADALIS COLLEGIALIUM.

Each student should preach to the people in turn every Sunday; one should instruct the children in catechism in the afternoon.

There is to be a disputation once a week in the refectory in English or Latin on some disputed article of the Faith.

The students shall hear confessions; they shall assist in turn the sick and dying; and shall be obliged to visit the hospitals or other pious institutions. The time of residence at the college shall depend upon the prudent judgment of the president of the college, who shall examine those whom he thinks sufficiently instructed and send a report to the Procurator General, who shall then present the names of the missionaries to the Propaganda. The Congregation shall dispose of the missionaries as necessity demands.

In order that the great expense of the Propaganda be lessened, a Commissary Apostolic should be commissioned to establish a fund from which the expenses of sending men to the missions are to be paid.

The Holy See is to be asked to grant the college the dispensation to receive legacies, from which the needs of the missionaries shall be cared for.

In order that all these propositions be carried out for the good of the Christian religion and the missions of India, I wish to propose to the Sacred Congregation with the greatest humility, the following practical points. According to my opinion, a man in whom are all the qualities requisite for erecting and establishing the above-mentioned college, would be the Rev. Angelicus a Capronza, a member of the Croatian Province and lector in the Province for twenty years, twice Provincial, and at the present time Consultor General of the Most Rev. Father Salvator of Ozieri. He is forty years of age, has a knowledge of the principal languages of Austria,

as Italian, German, Illyrian and its related dialects, and who knows the customs of the nation, and together with theological erudition possesses frankness and sweetness of disposition and a zeal for souls and devotion to the Holy See and who was the first in his Province to renew the interrupted relations with the General Superiors. It would be well to nominate him as Commissary Apostolic, and to entrust the erection and founding of the seminary and its coordination to him.⁶

Eventually Father Angelicus could be among the first to be sent to the missions and I can with safe conscience propose and recommend him to the Congregation.

These are the suggestions, most Eminent Prince, which I have been led to make in the Lord; nothing induced me thereto, except the glory of God, the spread of the Christian religion, the salvation of souls, the glory of the Catholic Church, and charity for our unhappy brethren who are sitting in the darkness and shadow of death.

FR. IGNATIUS A NEAPOLI

*Capuchin M. A. in East India and Commissary of all the Vicars Apostolic of that region to the Holy See.*⁷

The Sacred Congregation was well satisfied with the plan proposed and according to Persico's suggestion sent Father Angelicus to Vienna to treat with the Imperial Court. Father Angelicus spoke of the project to certain bishops who were favorable towards it, and the foundation of the college in Hungary was practically settled.

The General Definitory, however, was opposed to the college. Father Maurice a Kanik, Definitor General, was especially opposed to founding a college in Austria. In a letter to Father Michael Haselbeck, dated September 21, 1854, Persico, then bishop, wrote: "He [Father Maurice a Kanik] was very friendly towards me. But when he learnt that, in the name of the Vicars Apostolic, I had proposed a plan to the Sacred Congregation for establishing a college in Germany for our missions in India, he turned against me and Father Angelicus."⁸

⁶Angelicus Bedenick a Capronza was born in 1805. He entered the Order in 1824. Propaganda sent him to India in 1855. He founded the so-called Deposito Capronza intended for the use of the mission college. He succeeded Persico as Vicar Apostolic of Agra in 1861 and died there in 1865. *Gloecklein*, II, 253.

⁷*Propaganda Archives. Scritture originali*, 1854. Vol. 978, in *Gloecklein*, II, 283-287.

⁸*Archives of Altoetting*, in *Gloecklein*, II, 294, note.

Bishop Carli, Vicar Apostolic of Agra, was likewise opposed to having the college anywhere except in England or Ireland. In the face of such opposition, nothing could be accomplished. The result was that the plan was dropped and the mission problem remained in *statu quo* until 1857.

The Sacred Congregation decided to follow up the negotiations of Persico and Strickland with the English Government and sent the two envoys back to London on December 1, 1853. At the same time the Congregation appointed Bishop Thomas Grant of Southwark, to direct the proceedings.⁹ This second visit of Persico to London must have lasted three, or at the most four weeks. The mission to the English Government was not a complete success; in fact, considering the attitude of the Government towards the Church, the two envoys hardly expected that all their demands would be granted. At all events, Government, on February 20, 1856, granted official recognition to the Vicars Apostolic of India to some extent. The petition of the two envoys is thus summed up by the Government: "The petitioners, Messrs. Strickland and Persico, demand that the Vicars Apostolic be officially recognized by the Government of India in the same manner as they are acknowledged in the British Colonies; that their correspondence with Government in ecclesiastical affairs be free; and that the present dissension between the Roman Catholics and the Indo-Portuguese be settled."¹⁰

The Governor General in Council declined to settle the Portuguese affair, declaring that it was not "expedient for Government to meddle in ecclesiastical schisms, and to compromise itself by acknowledging the Roman Catholic religion, thus implying on its part a desire to impose on its subjects in matters of ecclesiastical jurisdiction." The Vicars Apostolic were granted an allowance in no wise proportionate to that allowed to ministers of the Anglican Church. Correspondence between the Vicars Apostolic and Government was free only when the Vicar Apostolic resided at the place of residence of the Governor. All of the concessions contained some qualifying clause and, on the whole, were very unsatisfactory.¹²

⁹Launey, *op. cit.*, 276.

¹⁰*Ibid.*, 277.

¹¹*Ibid.*

CHAPTER VII

VICAR APOSTOLIC OF AGRA (1854-1861)

Persico returned to Rome after having finished the work entrusted to him. Before leaving for Bombay, the Holy Father gave him a gold medal which he was to present to Bishop Hartmann. Leaving for India around the first of the year 1854, he arrived in Bombay and found Bishop Hartmann broken in health; he himself had to write to Pius IX, thanking the Pope in the name of the Bishop for presenting him with the medal.¹

Persico was hardly in Bombay when Father John of the Cross, O. C., began spreading reports about him and Bishop Hartmann to the effect that they were working against the Carmelites. Father John had formerly belonged to the Vicariate of Mangalore where he had also caused trouble, and Bishop Bernadino, the Vicar Apostolic, had forced him to leave the Vicariate. He came to Bombay and after many importunities, Bishop Hartmann gave him a chaplaincy in the city. Shortly afterwards, he began to stir up opposition among his congregation against the Bishop and even threatened to cite Hartmann before court. Persico wrote to Cardinal Fransonì about the whole affair and suggested that Father John be given an *obedience* to return to Mangalore. But the friar continued stirring up dissension among the people against the Bishop and his secretary, so that Hartmann in his *Relatio* to Cardinal Fransonì, said that either he would have to suspend Father John or expel him from the Vicariate and made it plain to the Cardinal that Father John would have to be given his *obedience* to return to his former mission as soon as possible.²

By a decree, *Cum in Generali Conventu*, of February 16, 1854, the Sacred Congregation divided the Vicariate of Bombay into the Vicariate of the north with Bombay as the episcopal city, and the Vicariate of the south known as the Poona Vicariate. The former was entrusted to the Capuchins with Bishop Hartmann

¹*Gloecklein*, V, 41.

²*Archives of Allahabad*, in *Gloecklein*, V, 295-297.

as Vicar Apostolic; the latter was given to the Jesuits with Bishop Hartmann as Administrator for the time being.³

By a further decree of February 16, 1854, *Cum S. Congregationi*, Persico was appointed titular Bishop of Gratianople and Coadjutor to Bishop Hartmann.⁴ This dignity was conferred upon Persico on the instance of Bishop Hartmann who had presented his name to the Sacred Congregation in 1852. Without doubt Persico's excellent work in Rome and London had been an added reason for raising him to the episcopal dignity.

Persico was consecrated bishop on Pentecost Sunday, June 4, 1854. The consecrating bishop was Bishop Hartmann who wrote to Cardinal Franson on June 6, 1854: "The consecration of the Bishop of Gratianople last Sunday, was performed with great solemnity. . . . The final decision with regard to this mission [i. e., the division of Bombay] and the elevation of my secretary to the episcopate have made a rather pleasing impression on people and clergy alike."⁵

There were no assistant bishops for Persico's consecration and in their stead Father Steins, S. J. and Father Thomas O. C., acted as assistants.⁶

Bishop Persico was hardly consecrated two months when the Sacred Congregation, most probably on the suggestion of Bishop Hartmann, appointed him Visitor Apostolic of the Agra Vicariate.

The Vicar Apostolic of Agra, Bishop Carli, O. M. Cap., had returned to Rome in 1854. The Vicariate itself was in a sad state, as is evidenced by a letter of Bishop Hartmann to Cardinal Franson written on February 23, 1854:

I have often told your Eminence of the deplorable state of the Agra mission. . . . For some time past I have been able to learn more about conditions in that mission, and I put the following before you, or rather, I shall tell you what I have heard concerning the mission.

1. The missionaries on the whole are not fit for the missions; they are hardly here before they are sent as chaplains

³*Propaganda Archives, Registro delle Lettere*, 1854. Vol. 445, 138, in Gloecklein, V, 41.

⁴*Ibid.*, 42.

⁵*Propaganda Archives, Indie Orientali*, 1854. *Scritture riferite*. Vol. 14, in Gloecklein, V, 249.

⁶*Ibid.*

to military stations, without knowing anything of the language, customs, or manner of holding controversies. The result is that the Seraphic Order and religion itself are held in ill repute. . . .

2. The missionaries themselves deplore the existing conditions, and, speaking generally, they seem to be well disposed.

3. The French missionaries here and in Europe are complaining loudly.

4. The Irish missionaries consider themselves better than the other missionaries and, it is said, the bishop favors them more than the others.

5. The college at Agra is in a deplorable condition. . . .

In my opinion, it would be well if the Prelate were allowed to return to Rome. . . .⁷

Persico was only thirty-two years old at the time of his appointment as Visitor and the task given him was one that an older man might well have feared. The diocese embraced an immense territory extending to Thibet, Cashmeer and Afghanistan. Prudence and tact were required and in these two requirements Persico was not lacking, as his negotiations in Rome and London testify. It was a disagreeable task but the young bishop performed it with success. In another letter from Bishop Hartmann, written on October 2, 1855, we learn that the mission was still in a deplorable condition, "whole congregations being without a priest, while others are entrusted to secular priests who object to the religious, especially the Italians, so much so that the mission would have been lost to us [the Capuchin Order] if the Bishop of Gratianople had not intervened."⁸

But if Persico saved Agra for the Order, at the same time, he incurred the enmity of many, even among his own fellow-religious. Why he should have incurred their enmity is not stated, but it is not surprising considering the delicacy of his mission. In a postscript to the letter cited above, Bishop Hartmann indicates that Persico was not loved any too highly by the missionaries in Bombay: "My Coadjutor will do less [*i.e.*, than Hartmann himself], for a number have told me they could bear with me, but they would never remain under my Coadjutor (because he favors the

⁷*Archives of Allahabad*, in Gloecklein, II, 296.

⁸*Relatio de Statu Missionum Indicarum*, *Archives of Allahabad* in Gloecklein, II, 299.

Jesuits)."⁹ This last charge was certainly unfounded if we but recall the endeavors of Persico to save Agra for the Order.

In the following year, 1855, the Sacred Congregation appointed Persico Administrator of the Vicariate and in 1856 Vicar Apostolic.¹⁰

The Vicariate Apostolic of Agra was formed from the mission of Thibet, which had been founded in 1704 and given to the Capuchins; these latter founded stations at Chandernagore, Patna, Nepal, and Lhasa. They were expelled from Thibet, but the King of Nepal received them though later he also expelled them. They continued their missionary labors in the Provinces of Bettiah and Patna. In 1784, by a decree of the Sacred Congregation, the northern part of the Vicariate Apostolic of the Great Mogul was given to the Capuchins thus creating the Thibet-Hindostan Prefecture Apostolic. The Prefecture became the Vicariate Apostolic of Hindostan in 1820, and in 1845 Patna was separated and formed into a separate Vicariate. The year following, the Vicariate of Lhasa was formed from the Hindostan mission and from this time on the Vicariate Apostolic of Hindostan became known as the Vicariate of Agra.¹¹

The Vicariate was situated in Central India and, at Persico's time, was the poorest and most difficult of all the missions in India. It embraced the present Archdioceses of Agra and Simla, and the Diocese of Ajmer together with the Punjab and Kashmir, including in its jurisdiction twelve kingdoms and more than 30,000,000 inhabitants.¹²

Persico took up his residence in Agra, then a city of 150,000 inhabitants, of whom 2,000 were Catholics, as many Protestants, about 20,000 Mussulmen, and the rest pagans.¹³ Agra was known the world over for its Taj Mahal, the "Dream in Marble," as well as for the Fort Akberabad with its massive walls of red sand stone. The cathedral was an imposing edifice designed by Father Bonaventure da Firenze and is still standing. It is dedicated to

⁹*Ibid.*, 301.

¹⁰Il Massaja (Rome), XI (1924), 101.

¹¹Terzorio, Clement da, O. M. Cap., *Manuale Historicum Missionum Ordinis Minorum Capucinnorum* (Isola del Liri, 1926), 153 ff.

¹²*Annals of the Propagation*, XVIII (1857), 342.

¹³*Ibid.*

the Immaculate Conception and is said to be one of the most beautiful buildings in India.

The Sisters of Jesus and Mary had charge of the convent school, St. Patrick's orphanage for Europeans, and St. Joseph's orphanage for natives. It was during Persico's time that the second wing of St. Patrick's orphanage was added.¹⁴

Little did Persico think as he looked out over his vast Vicariate that within a year his entire Vicariate would be laid waste in blood and fire and that he himself would be locked up in the Agra fort watching in helplessness his orphanages, schools and churches going up in flames.

Early in the year 1857, the first rumblings of the Sepoy revolt were heard in Agra. The forced annexation of Oude by the English and the superstitious rumors of the downfall of the English regime in India circulated by "holy men" and prophets, prepared the way for one of the most horrible pages in English colonial history. The first ripple of the revolt began at Barrackpore, sixteen miles from Calcutta. The new Enfield rifle which was being introduced into India at the time, required new cartridges, which in England were greased with the fat of beef or pork. The military authorities in India forgot that the fat of pigs was hateful to the Mohammedans, while the fat of cows was still more horrible in the eyes of the Hindus. The natives feared with all the fear of superstition, that the English were trying to destroy the caste and make them eat beef. The story ran up the Ganges past Agra to Meerut, spreading like wildfire, enkindling new fears the farther it spread. On May 3, 1857, there was an outbreak at Lucknow, which was put down. Within a week, the great military station of Meerut was ablaze. On May 9, eighty-five Sepoys who had refused to receive cartridges, were sentenced to imprisonment. The next day was Sunday. The Europeans noted nothing in the morning except the absence of native servants. At five o'clock, as the Europeans were preparing for church

. . . there was an alarm of fire, followed by a volley of musketry, discordant yells, the clattering of cavalry, and the bugle sounding an alarm. The Sepoys had worked themselves up to a frenzy of excitement; the prisoners were released together with a host of jail-birds. . . Inspired with a wild fear

¹⁴*Il Massaja*, X (1923), XI (1924), "La Storica sede di Agra," *passim*.

and fury, the Sepoys ran about murdering or wounding every European they met, and setting houses on fire, amid deafening shouts and uproar. . . European officers were being butchered by the infuriated Sepoys. Gentlemen and ladies were fired at or sabred while hurrying back in a panic from the church. Flaming houses and crashing timbers were filling all hearts with terror, and the shades of evening were falling upon the general havoc and turmoil, when the Europeans reached the native lines and found that the Sepoys had gone, no one knew whither.¹⁵

The next day, the rebel Sepoys appeared before Delhi and Monday here was worse than Sunday at Meerut. Seeing that all was lost, Lieutenant Willoughby gave orders to blow up the magazine. With one tremendous upheaval the magazine was blown into the air with fifteen hundred rebels. But Delhi was in the hands of the Sepoys. Every European that could be found was murdered. Fifty Christians who had been captured and imprisoned were butchered in cold blood. It was here at Delhi that Bishop Persico lost the first of his all too few missionaries. In a Pastoral Letter written on November 15, 1857, Persico records the losses and tragedies that have occurred in the preceding months. Regarding the tragedy at Delhi, he writes:

Among the first victims, was our beloved brother in Christ, Father Zacharias, Missionary at Delhi. This holy priest distinguished for Christian simplicity and Evangelical poverty was the first who had been deputed, after an interval of sixty years, to establish a permanent mission at Delhi. While exerting his best energies for the accomplishment of this object, he lived like a hermit of the olden times, in discomfort and privation. When the rebellion burst forth at Delhi, though warned by his servants of the danger, and advised to take refuge in the contiguous magazine, he refused, saying he would die in his church. There the mutineers found him kneeling, with his crucifix clasped firmly in his hands. In that posture he was slain. His death was that of a martyr. His blessed soul is now in glory.¹⁶

From Delhi, the revolt spread to Indor, Mhow and even to Bombay. From the very beginning of the outbreak, Persico had been kept in a state of constant alarm. But things remained com-

¹⁵Wheeler, J. Talboys, *India and the Frontier States of Afghanistan, Nipal and Burma* (New York, 1901), III, 723, 724.

¹⁶*Archives of Agra, in Franciscan Annals of India* (Agra), V, 256-262.

paratively quiet at Agra until in the beginning of July, 1857, the storm broke over them and the troops of the Maharaja of Gwalior swept down upon the city.

Persico together with the children and nuns took refuge in the fort, the Sepoys arriving before the gates of the city on Sunday, July 5, 1857. The battle that ensued has been described by a priest of the Foreign Mission Seminary, Father Bernard, who was in the fort at the time:

About 500 men, all that there were, went out against the Sepoys (native soldiers). The fight lasted nearly four hours; our troops, awfully diminished in numbers, were forced to retreat after having 140 men killed or disabled. We were obliged to withdraw into the fort, where the enemy has not yet ventured to attack us. We are a vast number of us here. May heaven ward off the cholera from us—it is a terrible disease in this country.

On the evening of the battle, the whole town was in flames; all is destroyed. Those, who a few days since, were living in Oriental luxury, have literally nothing left.¹⁷

The scene that met the eyes of Bishop Persico the following morning was heart-rending. One day had laid in waste what had taken years of continuous toil to build up. According to Persico's own words, the loss was incalculable:

The Churches and Institutions which cost our predecessors so much anxiety, toil and labor for nearly half a century were demolished in a night. The Cathedral, Bishop's house, Convent, College, Male and Female Orphanages, the Chapel and Priest's house, in the Military Cantonments, were pillaged, shattered, and fired; even the Sacred Vestments and the whole of the Church ornaments and furniture were carried off, or destroyed. We had used our best efforts with the authorities for the preservation of what was most costly or valuable, but our applications for this purpose were unsuccessful. It was heart-rending to look over the ramparts at the ruin that was going on; even strangers to our Religion could not witness the spectacle with dry eyes.¹⁸

On July 16, 1857 an attempt was made to despatch mail to Europe and it was at this time that Father Bernard wrote the letter cited above. He describes the situation at the time as follows:

The state of things within the fort is becoming more and

¹⁷*Annals of the Propagation*, XVIII (1857), 344.

¹⁸*Pastoral Letter*, *loco. cit.*, 258.

more alarming. Almost the whole of India is in a flame; the native troops have risen *en masse*; blood and destruction mark their footsteps everywhere. Several priests belonging to the Agra mission have fallen victims.

We have been spared so far; but if we do not soon receive succor from European troops, I know not whether I may be able to write you another letter. We have lost all that we had, except the clothes we have on; the insurgents have destroyed everything. I have not even saved my breviary; the only religious object I have saved are my oil-stocks, with the holy oils.

The loss to the Agra mission is enormous . . .

We are only a few days' journey from the frontiers, but it is impossible for us to go on to Thibet, and, besides, our hope of success rested, under God, on the prestige which the British power enjoyed in the countries through which our route lay. And where is this prestige now? In fact, of all the British possessions hereabouts, the Company retains nothing but a few scattered forts wherein Europeans are besieged by a victorious enemy. . . . It is a long time since I received a letter from you; perhaps they have been stopped at Calcutta, as for two months we have been completely cut off from the rest of India.¹⁹

Shut up in the fort in the midst of a decimated garrison, and surrounded by European families who were in despair of ever being rescued, and who were threatened with famine, the enemy and the dreaded cholera, Bishop Persico, received the news of the horrors committed at Lucknow, Sirdhana and Cawnpore.

At Sirdhana, Father Felix, together with the nuns and children and the native Christians of the locality, according to Persico's account,

. . . were surrounded and assailed by an infuriated rabble. For several successive days, they suffered most intense anxiety, momentarily expecting a violent death without the remotest prospect of rescue or escape. The courageous Priest had assembled his flock on the roof of the Church, and there, with the Blessed Sacrament in his hands, he poured into the hearts of all, words of comfort and consolation. The finger of God was there indeed. Contrary to human expectation, and when the scene all around was one of desolation and death, He rescued His servants from the hand of the infidel. A party of private gentlemen from Meerut, touched with com-

¹⁹*Loco cit.*

passion for their isolated position, bravely ventured out, and conveyed them in safety to the station on the sixth day of the revolt. . .

While these events were filling our hearts with anguish, the news reached us that our Missionary at Ferozepore had been in the greatest danger of being massacred, and that our Chapel and Church furniture were entirely destroyed. This was followed by the sad intelligence of the imminent peril to which our Convent at Sialkote was exposed. On this occasion, the intervention of God's Providence was manifest. The rebels actually entered the premises and over-ran the Convent, spreading dismay and terror among the inmates. The sacred virgins were more than once brought face to face with the miscreants; and were followed by the fiends with drawn swords from room to room. But the presence of mind, and undaunted courage of the Priest and the Lady Superioress, under God, preserved them unhurt in person, and free from violence and outrage. Priest, nuns and children escaped in a body into the open fields, where they wandered for some time under the scorching heat of the sun, till being met accidentally by a Christian sower, they were conducted to a neighboring fort. On this occasion also, the Priest had the foresight to take with him the Blessed Sacrament; the mutineers asked what he carried in his hands; and on being replied to that "he carried his God," they fell back with reverence and did not dare to profane the consecrated species, though cupidity might have urged them to seize the silver Pyx in which they were preserved. Truly God was there! and when we consider that the assailants were not villagers, but mutinous soldiers and that deeds of outrage and bloodshed were committed that morning in Sialkote, the escape of defenceless nuns will be read with thankful admiration of God's Providence in their regard.²⁰

The most appalling crime of the Indian Mutiny was committed at Cawnpore. On June 6, 1857, the city was attacked and every Christian that could be found was murdered. The garrison held out against the enemy until June 25, although starving and hampered by a multitude of helpless women and children. On that day, a woman brought a slip of paper from Nana Sahib promising to give a safe passage to Allahabad to all who were willing to lay down their arms. The only hope for the women and children was to accept the terms. Wheeler describes the scene that followed:

²⁰*Pastoral Letter, loco cit.*, 256, 257.

At early morning on the 27th of June, the garrison began to move from the intrenchment to the place of embarkation. The men marched on foot; the women and children were carried on elephants and bullock-carts, while the wounded were mostly conveyed in palanquins. Forty boats with thatched roofs, known as budgerows, were moored in shallow water at a little distance from the bank; and the crowd of fugitives were forced to wade through the river to the boats. By nine o'clock the whole four hundred and fifty were huddled on board, and the boats prepared to leave Cawnpore.

Suddenly a bugle was sounded, and a murderous fire of grape shot and musketry was opened upon the wretched passengers from both sides of the river. At the same time the thatching of many of the budgerows was found to be on fire, and the flames began to spread from boat to boat. Numbers were murdered in the river, but at last the firing ceased. A few escaped down the river, but only four men survived to tell the story of the massacre. A mass of fugitives were dragged ashore; the women and children, to the number of a hundred and twenty-five were carried off and lodged in a house near the headquarters of the Nana. The men were ordered to immediate execution.²¹

In the meantime, Colonel Neill was pushing on from Calcutta, bent on the relief of Cawnpore. Cutting his way through the rebel forces, he finally reached the city with an exhausted army on July 15, 1857. That same night, the Nana ordered the slaughter of all the prisoners, women and children. The victims were hacked to death with swords, bayonets, knives and axes. The next morning the bleeding remains of the dead and dying were dragged to a neighboring well and thrown in. Although the army overcame the rebels, the Nana had taken his revenge. Among those murdered at Cawnpore was the Rev. Joseph Rooney. Persico says of him: "He died in the faithful discharge of his duty, remaining to the last with the devoted Garrison."²²

A loss that Persico called "irreparable" was the murder at Lucknow of the oldest missionary, Father Adeodatus, the Vicar General. According to Persico:

This amiable and venerable priest had worked with success in this portion of Christ's vineyard for upwards of forty years and was respected and beloved by his flock. The urban-

²¹*Op. cit.*, 735, 736.

²²*Pastoral Letter, loco. cit.*, 257.

ity of his manners and extensive acquirements secured him the esteem of all, without exception; and Pagans called him their Father and Benefactor. But alas! Lucknow, too, has distinguished itself for treachery and crime and has not spared this aged and pious priest. He was murdered in his own house. Our heart bleeds for this slaughtered fellow-laborer, and bemoans his loss as one that materially affects this mission, for, he had been our Vicar General and good Counsellor.²³

Europeans were not the only ones who felt the fury of the Sepoys. Many of the native Christians were likewise slaughtered. Speaking of them, Persico writes: "A large number, after experiencing barbarous treatment, were murdered in cold blood in Delhi and Lucknow, though so far as regards them, political motives there were none, to urge on the guilty mutineers. About sixteen were massacred in Agra. 'Tis a subject of consolation that there was no defection from the Faith, though these poor people were exposed to many temptations of perversion."²⁴

Delhi was captured in September, 1857, and this event marked the turning-point in the revolt. The news of the capture was greeted with rejoicing in the Agra fort. In a letter, dated Agra, September 27, to Mother Sainte-Therese, Superioress of the Sisters of Jesus and Mary, Mother Sainte-Thadee gives us an insight into the feelings that ran through the small band of Catholics, at the news of their deliverance:

I write these lines within the sound of the guns that are fired in celebration of our deliverance. The capture of Delhi is now complete, and the news has just arrived at Agra. Such is my joy at this event, that my first impulse is to communicate it to you and to all our mothers, sisters, and friends in France. Upon this conquest depended the re-establishment of order in our province, already laid waste. The conquest of Lucknow still remains to be effected. The general who directed the English campaign in Persia, is stationed before this town. . . He must have now arrived at Lucknow with an army of twelve hundred men, to relieve that place, besieged ever since the commencement of the mutiny, by thirty thousand insurgents. The poor Europeans in this fortress are suffering every species of misery.

But, my dear Rev. Mother, let me not sadden your heart

²³*Ibid.*

²⁴*Ibid.*

with any more of these details, for we are expecting to return to our beloved retreat; and, even if we should find it a mass of ruins, we shall kiss its walls with extreme joy. But when shall we be able to do this? We cannot yet foretell, for the rebels are still in great numbers, and decided to renew their attack on the Europeans.²⁵

The Europeans remained in the fort until December, 1857.²⁶ A battle had been fought at Agra on October 10, 1857, and this saved those in the fort from the horrors of a siege although they had to suffer greatly. Persico tells us that: "Three Nuns, the Rector of St. Peter's College, and a Lay-Brother have been hurried to a premature grave by disease; general debility and sickness have prostrated our Clergy, Nuns and Children."²⁷

But the revolt was practically over, and it was the duty of Persico to console his scattered and suffering flock, and this he did in his Pastoral Letter. After describing the terrible havoc wrought by the Mutiny, he continues:

And now, beloved brethren, that the Rebellion seems to be coming to a close, must we not return to God thanks, warm and sincere, for having preserved us from so many dangers, and lift up our voice in praising his Holy name for ever and ever? Oh! our gratitude ought to be deep and lasting, the gratitude which will bring our lives into harmony with the maxims and spirit of the Gospel. Then shall the joyful promises made to Jerusalem be fulfilled also in us. "Now I will not deal with the remnant of this people, according to the former days, saith the Lord of Hosts. But there shall be the seed of peace. The vine shall yield her fruit, and the earth shall give her increase, and the heavens shall give their dew; and I will cause the remnant of this people to possess all these things. And it shall come to pass, that as you were a curse among the Gentiles, O house of Judah and house of Israel, so will I save you, and you shall be a blessing: fear not, let your hand be strengthened. For thus saith the Lord of Hosts: as I purposed to afflict you when your fathers provoked me to wrath and I had no mercy, so turning again, I have thought it in these days, to do good to the house of Judah and Jerusalem, fear not." Zach. ch. 8th.

We feel confident, Beloved Brethren, that the late calamity will be productive of much good. Look over the history of

²⁵ *Annals of the Propagation* (London), XIX (1858), 47.

²⁶ *Il Massaja*, XI, 4.

²⁷ *Pastoral Letter*, loco. cit., 258.

the Church, and say by what means has the Almighty, in every age, given to it those spiritual conquests over unbelieving nations, which mark the great epochs of its existence? Was it not in trouble, affliction, temporal suffering and persecution, that the Church has always prospered? Such was its lot in the first establishment, and such has it been ever since. When God designs to give to his Church a large accession of strength and members, he almost invariably prepares the way by some untoward circumstance, disturbance, calamity or social convulsion, thereby attracting the attention of mankind, and ensuring amidst defamation, outrage, and scorn, a multitude of attentive listeners, who went to witness the conflagration out of curiosity, and came away wiser men, illuminated by fire from heaven.

Whatever temporary tribulation the Church may have to sustain, ultimate success and triumph are guaranteed her. The power of the earth, and the wisdom of the world, infidelity, schism, heresy, have successively assailed her; but shattered by the shock, they have as successively disappeared from the stage, whilst she continues her beneficent career, unchanged and unchangeable, triumphant and fresh with the vigour of youth. Vividly has the Royal Prophet predicted of her, "often have they fought against me from my youth, but they could not prevail over me." (Ps. 128) and Isaías: "No weapon that is forged against her, shall prosper, and every tongue that resisteth thee in judgment, thou shalt condemn. The children of them that afflict thee, shall come bowing down to thee, and all that slander thee, shall worship the steps of thy feet, and shall call the City of the Lord, the Sion of the Holy One of Israel!"—Is. 9, 14.²⁸

These words of Christian consolation show the soul of the man that wrote them. Persico must have read widely in the Sacred Scriptures, and the apt quotations from the Bible with which his Pastoral Letter is replete, justify us in concluding that he himself saw only the Hand of God in the calamities that befell his Vicariate.

Since the Vicariate was in ruins, Persico's first thought was to restore as soon as possible what was lost. He, therefore, made an appeal for contributions:

If we have at all times asked of your Charity, we are under greater necessity of doing so now. We exhort all then, Clergy and Faithful, to come forward with renewed zeal and

²⁸*Ibid.*, 260, 261.

generosity, to emulate the bright example of the Brethren, who have preceded us in the good work, and to demonstrate that the Catholics of India have lost nothing of the self-devoting energy, which distinguishes their countrymen at home. Strenuous exertions must be made to repair our heavy losses. Zeal and perseverance, however, on the part of the collectors, resolution and energy on that of the Clergy in organizing and supporting them in the meritorious task will leave no room to doubt of ultimate success. The smallest contribution will be gratefully received. In some stations the collections will not be large; they will, however, in the present time, when so many families and individuals have been ruined, speak trumpet-tongued for the piety of the donors. The mite of the widow of Sarepta was as acceptable in the eyes of God, as the rich presents and splendid gifts of the King of Israel.

We say no more, Beloved Brethren; only we urge you by the love you bear to the Church of God, by the zeal you have always manifested for the faith delivered to the Saints, by the charity that burns within you, for the souls redeemed by the Blood of Jesus Christ, that you be instant in these good works, and be faithful to the Pastors who break to you the Bread of Life; and that you forget not our trials, our solicitude, and our labors for you. If we love our Lord Jesus Christ, we shall love his Church and desire to share in her labors and sufferings; we shall find it sweet to deprive ourselves for her sake. We shall delight in the Lord and do good, and He will give us the petition of our hearts. We shall give to him, and He will repay us. We shall see the power of God exalted among his people, and the borders of his Kingdom enlarged, and His reign extended over many souls that now in ignorance gainsay His truth.

The Grace of Our Lord Jesus Christ, the charity of God and the communication of the Holy Ghost be with you all. Amen.²⁹

Persico made another appeal for contributions on December 21, 1857, from the fort of Agra. To it, he annexed the following estimated amount of damages suffered by his institutions in the city of Agra alone:

Cathedral	Rs. 39,691
Convent	Rs. 14,082
St. Patrick's Orphanage	Rs. 5,846
St. Joseph's Orphanage	Rs. 3,320
St. Paul's Orphanage	Rs. 7,944

²⁹*Ibid.*, 261, 262.

School of Industry	Rs. 2,700
The Infirmary	Rs. 700
Episcopal Residence	Rs. 6,276
Mission Property ³⁰	Rs. 9,150

Persico did not rest with making an appeal to the people of his Vicariate, but decided to go to Europe and beg alms for his wasted diocese. He started on his journey at the beginning of the year 1858³¹ and went by boat down the Ganges to Calcutta instead of overland to Bombay. The boat on which he sailed from Calcutta suffered shipwreck off the coast of Ceylon and Persico only managed to save his life by swimming to shore.³² He finally arrived in Rome some time in May, 1858.

Bishop Hartmann was in Rome at the time endeavoring to iron out certain difficulties that had arisen between the Capuchins and Jesuits regarding the division of the Bombay Vicariate. In 1857, the two Vicariates formed from Bombay exchanged hands, the Capuchins taking Poona and the Jesuits, Bombay. But there were bitter feelings between the two Orders over the exchange mainly because of the demands of the Jesuits.

Cardinal Barnabo, Prefect of the Congregation de Propaganda Fide, had been awaiting Persico's arrival in Rome in order to have his advice on the matter.³³ Persico's opinion was that Poona should be given to the Jesuits. The Sacred Congregation was opposed to the withdrawal of the Capuchins from Poona, and it fell to Persico's lot to convince Cardinal Barnabo and the General of the Capuchin Order, Father Salvator, that it was the only sane solution of the problem. Persico and Hartmann drew up a memorandum for this purpose, in which they gave the reasons for relinquishing the mission and sent it to the General Definitory; at the same time they sent a similar memorandum to Cardinal Barnabo.³⁴ The Sacred Congregation took the advice of the two bishops and on August 13, 1858, decided that Poona and Bombay should be given to the Jesuits.³⁵

During this time, Persico and Hartmann again tried to reform

³⁰ *Archives of Agra, in Franciscan Annals of India*, 262.

³¹ Appolinare, *op. cit.*, 110.

³² Gloecklein, II, 305, note.

³³ Imhof-Jann, *op. cit.*, 395.

³⁴ *Ibid.*, 400, 401.

³⁵ Hull, *op. cit.*, 480.

the Capuchin missions, especially those in India. Bishop Hartmann wrote a memorandum, the first part of which was presented to the Sacred Congregation on May 24, the second part on May 29, 1858.³⁶ Persico merely advised Hartmann who composed the memorandum and presented it to the Congregation signed by himself and Persico.

The reform of the missions was to be effected by taking the missions out of the hands of the Procurator of the Order and entrusting them to a special Superior of Missions; the discipline at the missionary College of St. Fidelis was to be stricter; and the custom of appointing coadjutors was to be abolished and in their stead vicars general were to be appointed.

After due deliberation, Propaganda decided that the missions of the Capuchin Order should be put under the direction of a special Procurator and Bishop Hartmann himself was given this office. The missionary College was likewise taken care of by appointing Hartmann rector of the College. Nothing was done in the matter of abolishing coadjutors.³⁷

Persico visited different countries in Europe in the interest of his Vicariate, begging and preaching. He translated a work of Manning and published it in Rome under the title *Fondamenti delle Fede*; in it he gave a short biography of Manning. He was also in Paris where he preached a number of sermons and published them under the title of *Oraisons et Sermons* (1858).³⁸

It is not known for certain when Persico returned to Agra, but it was probably about the end of the year 1858. He immediately began the work of reconstructing his Vicariate with the help of the alms he had gathered.

The Indian Mutiny had been definitely brought to a close by the proclamation of her Majesty, Queen Victoria, in 1858, and the British West India Company was relieved of the government of India, which from now on was directly under the Crown. Fear was felt that the change in government might mean a change in the Government's attitude towards the Church in India. The Sacred Congregation, therefore, commissioned Persico to go to London to safeguard the concessions which he had obtained in

³⁶Imhof-Jann, *op. cit.*, 404.

³⁷*De Reformatione Missionum*, Gloecklein, II, 304-316.

³⁸Appolinare, *op. cit.*, 111.

1856. His mission to London was successful and Government confirmed the rights which the Church in India had enjoyed under the Company.³⁹

Little is known about Persico's last two years in the Agra Vicariate except that in 1860 he founded the *Agra Weekly Register*, a newspaper that was discontinued later.

Persico's intense labors and long journies soon began to tell on his health and these together with the very unwholesome climate of India resulted in a complete breakdown so that he was forced to leave India in 1860 and return to Italy. His illness was such that he had to remain inactive for the next six years.⁴⁰

³⁹*Ibid.*, 110.

⁴⁰Strangely enough, Miss N. T. Maguire in the *American Catholic Historical Researches*, XI, 24, says that Persico was in the United States in 1861. He "visited Washington [Georgia] in 1861. His stay, though brief, yet left a lasting impression in all hearts of the courteous, elegant gentleman, the learned and distinguished prelate." The only explanation for this statement is that 1861 should be 1871, when Persico was in Savannah, Georgia, as Bishop.

CHAPTER VIII

MISSIONARY AND BISHOP IN THE UNITED STATES (1866-1872)

Having regained his health, Bishop Persico's thoughts turned to the United States. He had consecrated his life to the missions, and since it was impossible for him to return to India, he applied to Bishop Lynch of Charleston, South Carolina, for service in his diocese, "as a simple missionary."¹

Persico was given charge of the mission at Aiken, S. C., where he built the first church in that district.² He also labored at Beaufort, but nothing has ever been printed thus far about any

¹The reason for Persico's coming to the United States is still shrouded in mystery. The brief life of Persico given in *Il Massaja* (XI), 101, states that: "Nel 1866 fu mandato dalla Sede Apostolica Delegato negli Stati Uniti di America." The *Analecta* claims that Persico came to America, "ibique duobus annis, D.D. Patritii Lynch, episcopi Carolopolitani a diocoesi absentis, vices supplevit." XVII (1901), 91. Appolinare a Valentia merely says: "Anno 1866, a Sede Apostolica ad Septentrionalem Americam missus est." *Op. cit.*, 110. The strongest reason for believing that Persico may have been sent on a diplomatic mission is a letter of Bishop McQuaid in which he says: "I am inclined to think that Persico will be here again as Delegate, etc." Zwierlein, F. J., *Life and Letters of Bishop McQuaid* (Louvain, 1926), II, 290. Shane Leslie in his *Henry Edward Manning* (London, 1921), 420, says that Persico "served the Holy See in South Carolina, etc."

The present writer asked Father Henry F. Wolfe, Chancellor of the Diocese of Charleston, with regard to Persico's mission to America, and received the following letter in reply:

Our archives do not reveal the fact that Bishop Persico was ever administrator of this diocese. In fact, Bishop Lynch returned from his diplomatic mission to Europe in February, 1866. Why should he have appointed an administrator?

Bishop Persico applied to Bishop Lynch for service in this diocese from Naples, August 4, 1867, as a simple missionary. Upon his arrival in Charleston his wish was gratified. He built the first church in Aiken, S. C., in 1868. He asked permission to join his Capuchin brethren, Fathers Lewis and Patrick at Beaufort saying: "I myself would feel very happy to work with the said Fathers for the greater glory of God and the good of the Colored People." But he, like his brethren, ultimately abandoned this work. The Baptismal Register at Beaufort records the baptisms he performed.

As you know, he was transferred to the See of Savannah, March 20, 1870. Two years later he requested Bishop Lynch to inform the Sacred Congregation of Propaganda of the precarious state of his health and "consequently of the physical impossibility he was under to hold a diocese," adding, "I assure you in God's name, that my health has become worse, and I am unfit for anything." Bishop Lynch wrote to Cardinal Barnabo for him.

²O'Connell, J. J., *Catholicity in the Carolinas and Georgia* (New York, 1879), 237.

other specific work done by him during these years in the Charleston Diocese. In 1869, Persico attended the Tenth Provincial Council of Baltimore from April 24 to May 2, and the Council accorded him a decisive vote, although Bishop Lynch was also present.³ During this Council, it was decided to petition the Holy See for the erection of an episcopal see at St. Augustine, Florida. The Holy See erected the diocese of St. Augustine, and Bishop Verot of Savannah, Georgia, became the first bishop.⁴

In 1869, Persico left Charleston for Rome to attend the Vatican Council which opened on December 8, of that year.⁵ During his stay in Rome, Persico was informed that he was to take charge of the vacant See of Savannah. He received the appointment on March 20, 1870.⁶ Before his departure, Persico spoke to the General of the Capuchin Order, Father Nicholas a Sancto Joanne, about introducing the Capuchins into his diocese. On July 20, 1870, he received permission to take a number of Capuchins with him to Savannah,⁷ and at the same time was asked by the General of the Order to conduct the canonical visitation of the Capuchin Commissariate of St. Joseph in Wisconsin.⁸

Before coming to the United States, Persico visited England where he requested three friars, Dominic Cocchia of Cesinale, Patrick of Ossory, who had labored in Agra under Persico for two years, and Aloysius of Scurcola, to accompany him to Savannah. Father Emidius, Commissary of the English Province, opposed Father Dominic's departure from England, but the opposition was useless.⁹

In September, 1871, Persico made the visitation of the Commissariate of St. Joseph in Wisconsin and New York. On September of the same year, he was at the Holy Cross Monastery, Mt. Calvary, Wisconsin.¹⁰ He was well pleased with what he

³*Acta et Decreta, Coll. Lacensis*, III, 578, in Jeron, *op. cit.*, 327. Bishop Corrigan in his short life of Persico in the *Catholic Historical Review*, I, 377, denies that Persico attended the Council of Baltimore. Corrigan, evidently, refers to the Second Plenary Council of 1866.

⁴Jeron, *op. cit.*, 327.

⁵Alencon, *op. cit.*, 92, note.

⁶*Bullarium*, X (1884), 720.

⁷*Analecta*, XVII (1902), 91.

⁸Jeron, *op. cit.*, 327.

⁹*Analecta, loco cit.*, 92.

¹⁰*Diary of Father Fidelis, O. M. Cap.*, Mt. Calvary, Wisconsin.

saw of these friars and their life, and in his letter to Rome highly commended the work and progress of the Commissariate. At the same time the Capuchin Visitor was not unmindful of his own diocese, and the *Account Book* at Holy Cross Monastery contains the following entry: "September 24, 1871, \$45.00 to Right Rev. Persico of Savannah." During his stay at the monastery, he gave his approval to a small pamphlet entitled, *Der Kreuzzug der Unschuldigen*, written by the Capuchin, Father Francis Haas. Persico also visited the other three establishments of the Commissariate, St. Francis in Milwaukee, Our Lady of Sorrows and St. John Baptist in New York. At the Church of St. John Baptist he consecrated the three altars on June 22, 1872.¹¹

Regarding Persico's work in Savannah, O'Connell writes the following:

His first care was to take measures for the erection of a new cathedral, but although he inaugurated the work, he had to resign in 1872 on account of ill health. His brief administration is memorable for several good works inaugurated for the interest of religion, which would have matured if his health had continued. But enough was done to exhibit his enlightened zeal and perpetuate his memory as a high-minded ecclesiastic, generous and self-sacrificing in the cause of religion.¹²

On May 7, 1872, Persico solemnly consecrated his entire diocese to the Sacred Heart.¹³ According to O'Connell, who gives a pen picture of him:

Persico was of the medium height, with prominent features, very long nose, and stout figure. In his knees he favored the celebrated ex-Bishop of Autun. In manners he was plain, humble, and unaffected as a child. He loved his clergy and never sought any other society. He was learned, eloquent, and devout.¹⁴

Besides these few meagre references to his work in Savannah, nothing has ever been written about Persico's activity as bishop in the United States. The establishment of the Capuchins in Georgia was not attempted, and the three friars whom Persico had

¹¹Jeron, *op. cit.*, 328.

¹²*Op. cit.*, 550.

¹³Jeron, *op. cit.*, 328, *Catholic Directory*, 1873.

¹⁴*Op. cit.*, 550.

brought with him returned to Europe after distinguishing themselves for zealous work in hospitals and prisons.¹⁵

About this time, Persico's health began to fail, and he wrote to the Sacred Congregation asking to be relieved of all work. With the consent of the Congregation he returned to Italy in 1873.¹⁶

¹⁵Jeron, *op. cit.*, 328.

¹⁶Appolinare, *op. cit.*, 110.

CHAPTER IX

DIPLOMATIC MISSIONS AND LAST YEARS (1874-1895)

The diplomatic ability with which Persico served the Vicars Apostolic of India and the Holy See in Rome and London, was not forgotten. On June 20, 1874, he was made titular Bishop of Bolina (Bolinensis), and sent on a diplomatic mission to Canada. The purpose of this mission is not known. It is merely stated that Persico was sent to settle grave matters pertaining to the Church in Canada.¹

In 1877, Persico was sent to India to settle the Syro-Chaldean Schism in Malabar and to prepare the way for the establishment of the hierarchy in India. He arrived in India, on February 2, 1877, and after visiting Mangalore, Trichnopoly and Madras, returned to Europe on March 26, of the same year.² The mission resulted in the settlement of the schism in Malabar. Nine years later, the hierarchy of India was established by the Concordat between the Holy See and Portugal, and the Apostolic Letter, *Humanae Salutis*, of Leo XIII, September 1, 1886.³

In 1878, Persico was made a consultor of the Sacred Congregation de Propaganda Fide. The following year on March 26, he became Bishop of the United Dioceses of Acquino, Pontecorvo, and Sora. In 1880, the Holy See appointed Persico Visitor Apostolic of the Chinese College in Naples and, at the same time, judge in certain matters pertaining to the Greek Church in the same city. The Sacred Congregation praised him very highly for the way in which he performed these two offices.⁴

In 1883, there were rumors among American hierarchical circles that Rome was about to send a Delegate to America. There were difficulties between some of the bishops and their clergy and other troubles among the laity. Moreover, a number of important decrees promulgated by Rome for this country had not been worked

¹*Analecta*, XII, 31; *Bullarium*, X, 720.

²*Il Massaja*, XI, 101.

³Launey, *op. cit.*, IV, 376.

⁴Appolinare *op. cit.*, 110.

into local legislation. A council was deemed advisable. At first it was rumored that a cardinal of English nationality would be sent as "Agent" from Rome. Bishop McQuaid judged such an appointment as most inopportune because at the time Irish feeling ran high in the country. He was also opposed to the appointment of a Roman agent to the American Church. His main fear seemed to have been that the "agent" would learn too much about conditions in the American Church. Speaking of Cardinal Howard, he wrote: "He is a gentleman and would do no eavesdropping work, nor would he have a kitchen cabinet." He did fear, however, that Persico, if sent, would have his "kitchen cabinet." In a letter to Archbishop Corrigan, May 23, 1883, he wrote: "I am inclined to think that Persico will be here again as Delegate, etc. If he were not such a born schemer, he would do well until he fled from the field of battle with a broken heart. He has a very large and open ear. It will be very perilous to send us an Italian now, as our Celtic friends are disposed to cry down an Italian Church and rule."⁵ Bishop Persico, however, did not come to America.

After ruling the Diocese of Aquino-Pontecorvo-Sora for nine years, Persico resigned. In acknowledgment of his labors, Leo XIII raised him to the dignity of titular Archbishop of Damietta, in March, 1887,⁶ and appointed him consultor of the Congregation for Oriental Affairs.⁷

Shortly after he had received the pallium, Persico was entrusted with the most important and delicate of all his diplomatic missions, namely, that of papal envoy to Ireland.

To protect themselves against the inhuman practices of English landlords, the Irish tenants had devised what is known as the Plan of Campaign. The tenant was to offer the landlord a reasonable rent, and if this was refused, he was to bank his money and with the help of other tenants fight the landlord. The Plan of Campaign was condemned by England as an "unlawful and criminal conspiracy."⁸ Another means for attaining a reform in the Irish land code was boycotting, as it was called from its first important victim, Captain Boycott. This method was used against

⁵Zwierlein, *op. cit.*, II, 290.

⁶*Analecta*, III (1887), 190.

⁷*Ibid.*, XI (1895), 314.

⁸Zwierlein, *op. cit.*, II, 390.

landlords who refused to accept the reduced rents, and against tenants who paid the high rents or occupied lands from which others had been evicted. Any of these was to be put into a "kind of moral Coventry, by isolating him from his kind, as if he were a leper of old."⁹ Persico's task was to inquire into the moral aspect of these practices.

As soon as the news arrived that a papal envoy was being sent, certain sensational newspapers began spreading false reports about the Mission. The Dublin *Evening Mail*, June 27, 1887, published the following alleged dispatch from Rome.

In consequence of the representation made by Cardinal Manning and Archbishop Walsh of Dublin, upon the expediency of the intervention of the Vatican in Irish political affairs at the present moment, and the bad impression it would produce, the Pope today ordered the suspension of the mission to Ireland with which Mgr. Persico and Father Gualdi were to have been intrusted.¹⁰

Cardinal Manning was alarmed at the possible effect the Mission might have in Ireland, but he indignantly repudiated the charge that he wanted the Mission revoked.

Purcell in his *Life of Cardinal Manning*, describes the manner in which the people received the news of the Mission:

The Home Rule agitators were inflaming by their wild harangues the hearts of the excited peasantry. The dictum of O'Connell was repeated—"We take our theology from Rome, but our politics we prefer of home manufacture."

It was asked by the professional agitators at public meetings at which priests acted as chairmen, "What can a 'foreign potentate' know of Irish politics? How can an Italian delegate pretend even to understand boycotting and the Plan of Campaign? We don't want 'foreign intervention.' Our bishops understand Ireland and its wants; Rome does not. We will follow and obey only our bishops."¹¹

Nevertheless, the papal envoy was not recalled, for on July 8, 1887, Dr. Walsh reported: "The Mission has arrived."¹²

The first impression made by Persico on his arrival in Ireland according to Wilfrid Scawen Blunt's *My Diaries*, was that of "a

⁹*Ibid.*, 237.

¹⁰*Ibid.*, 408.

¹¹*Life of Cardinal Manning* (London, 1896), 622.

¹²Leslie, Shane, *Henry Edward Manning* (London, 1921), 421.

worthy old Capuchin, a diplomatist of the silent, sleepy school, with an enormous nose." According to Father Healy, he had "the eye of a courting hawk."¹³

Persico immediately began that bewildering series of interviews and experiences which convinced him of the justice of the Irish cause. According to Leslie:

He stayed with bishops and with landlords. Manning advised him to pay a visit to the Viceroy, as well as to invite the four Archbishops to consultation. He solemnly collected the affirmations and contradictions that make up all Irish reports. As he and [Archbishop] Croke kissed one another at the railway-station at Cashel, the voice of the laity was heard to remark in the crowd that it would be hard "to say which was the greatest skamer!" * * * A veil of mystery shrouded his intentions and even his locality.¹⁴

Persico, himself, described his visits in Ireland five years later as follows:

In every city I came to, I spent the entire week in holding short conferences every morning. At the same time, I announced in the papers, that on every afternoon until late at night, I would grant audiences to anyone, regardless of his religious faith, station in life or political adherence. Persons of every station of life came, factory girls, workingmen, officers, members of Parliament, State officials, merchants, manufacturers, tenants and landlords, Parnellists, Orangemen, Catholics, Protestants, members of the Land League, etc. I listened to their complaints and opinions often until far into the night and dictated their statements to my secretary. When we had finished with one city, the same work began in another, until we had toured whole Ireland.¹⁵

On the occasion of his visit to Tipperary, Persico assured the people of the character of his Mission. He told the crowd that had come out in his honor:

The Pope loves Ireland; he knows all the sufferings she has gone through, and feels the deepest sympathy for her people. He has sent me to tell you of his love and sympathy and, moreover, that he intends to do some great and real good for Ireland. Whenever His Holiness raises his voice, the potentates of earth listen with reverence, for he speaks nothing but in

¹³*Ibid.*, 420.

¹⁴*Ibid.*, 422.

¹⁵Imhof-Jann, *op. cit.*, 426.

truth and justice. He will do all that lies in the power and province of a Pope for the welfare and prosperity of Ireland. This is why I come amongst you, and I know you appreciate Pope Leo's goodness, and that you will receive with the characteristic faith and gratitude of the Irish race, the blessing which I give you in the name of His Holiness.¹⁶

On October 25, 1887, Cardinal Manning wrote the following interesting account of Persico's mysterious way of traveling:

Reuter tells me that Mgr. Persico is in Rome. But that is a reason for believing he is still in Dublin. Still I would like to know whether he is on the Tiber or the Liffey.¹⁷

Sometime in October, Persico sent the Reverend Abbate Gualdi, who had accompanied him on his Mission, to Rome with a report on the addresses he had received during his progress through Ireland. *The Osservatore Romano* managed to interview Gualdi and these were the principal points which, in his opinion, were worthy of consideration:

1. That the addresses, of which there are a great number, after thanking the Pope for sending to Ireland so estimable a prelate as Mgr. Persico, express fidelity to the Holy See and boundless confidence in His Holiness.
2. That there does exist in Ireland an agitation based, not only on the memory of ancient wrongs inflicted by England, but also upon serious present necessities demanding attention.
3. That the presence of Mgr. Persico has contributed to keeping the country more tranquil.
4. That there is every ground to hope that by attentive study of the existing grave situation a means will be found of settling the differences between land-owners and tenant, the more so because the Irish people are very far from desiring separation from England.
5. That confidence in the Pope is shared alike by the Catholics, who carry it to an enthusiastic degree, and by the Protestants who displayed profound respect for Mgr. Persico on all occasions.¹⁸

Persico seems to have listened with respect to the suggestions of Cardinal Manning, who impressed upon him that Ireland must be governed through the Bishops and not over their heads. This plan was suggested to Persico by Manning for the consideration of the Holy See:

¹⁶Zwierlein, *op. cit.*, II, 410.

¹⁷Leslie, *op. cit.*, 422.

¹⁸Zwierlein, *op. cit.*, 410.

The Irish Bishops were to be called to Rome in batches of three or four, and after having been thoroughly enlightened as to the views of the Holy See in regard to the practices and principles of boycotting and the Plan of Campaign, were to be sent back to Ireland with precise instructions to act in obedience to the canons of public morality as taught by the Church. When the whole Episcopate had undergone such a process of enlightenment, they were, as if, *ex motu proprio*, to issue a joint pastoral to the priests and people of Ireland, explaining what was morally amiss in boycotting and the Plan of Campaign. . . . There is one power in Ireland that can govern the Irish people, that is the Irish Bishops, and there is one power on earth that can govern the Irish Bishops, and that is the Pope. But this must be with, by, and through the Episcopate, and not from outside.¹⁹

Manning also cautioned Persico not to mention anything in his Report that might lessen the confidence of the Holy See in Archbishop Walsh. If such a thing should happen and especially if the Holy See would issue a Papal Rescript over the heads of the Irish Episcopate, Manning declared he knew not what would happen. The Report was to discourage the appointment of a Papal Nuncio to the Court of St. James, since this would serve only to stir up mistrust in Ireland.²⁰

Persico wrote to Manning on December 21, 1887, from the Capuchin Convent in Cork:

Your Eminence understands the Irish question thoroughly; I wish others in Rome understood it as Your Eminence does. As far as I am concerned, I shall not fail to make a proper *exposé* of things.²¹

With regard to appointing a Papal Nuncio to the Court of St. James, Persico wrote as follows to Manning on January 6, 1888:

It is a great pity that English Catholics do not understand all this! I am sure that His Holiness understands it well, but I share your fears that those about him may harass him with the fickle and vain glory that would accrue to the Holy See by having an accredited representative from England also. I may assure Your Eminence, of course, in a most confidential way, that even in my humble position, I do not fail to represent my views to the Holy See. Above all, I have informed the Secre-

¹⁹Purcell, *op. cit.*, II, 623.

²⁰*Ibid.*, 623, 624.

²¹Leslie, *op. cit.*, 423.

tary of State of the way in which such a thing would be felt in Ireland.²²

On January 21, 1888, Persico again wrote to Manning with regard to the suggestions he had made to the Holy See on the Irish Question:

I am happy to let Your Eminence know that my superiors have received favorably my poor suggestions, and seem to agree with the expediency of the relative proposals. For the present they cannot give much attention to the Irish affairs, but will decide on the mode of treating them the moment they are free from the present celebrations. I know that Your Eminence will be pleased to hear this, so I have hastened to confide said news to Your Eminence. At the same time I am most anxious that certain disciplinary points should be settled properly for the good of religion and the dignity of the priesthood. Of course, I always mean that whatever is to be done must be done with and through the Bishops. It is absolutely necessary that the Bishops of Ireland should be thoroughly persuaded of the necessity of introducing those things, so that by their acceptance the observance may be secured. My love for Ireland and the sacred duty attached to my present mission makes me doubly anxious on this subject.²³

In an audience of Leo XIII given to three hundred Irish pilgrims on February 1, 1888, the Holy Father told them that he had shown his love toward Ireland:

In sending our Venerable Brother, the Archbishop of Damietta, with certain instructions bearing upon the present state of affairs that we may be aided by his report in ascertaining the actual conditions of things, and the steps that in your interest it may be desirable to take.²⁴

Archbishop Walsh was in Rome at the time, engaged in the interests of Ireland. He insisted that the essential basis of a settlement of the Irish question must consist in Home Rule and a thorough reform of the Land System.

Persico was of the opinion that nothing should be done by the Holy See before consulting the Irish Hierarchy. He wrote to Cardinal Manning to this effect on February 9, 1888:

When I wrote last I had received letters from Rome, where-

²²Leslie, *op. cit.*, 423.

²³*Ibid.*

²⁴London *Tablet*, Feb. 11, 1888, 218, 226. Zwiernlein, *op. cit.*, 414.

from I could gather that they had accepted my proposals and also my views. I have not heard anything since, and the return to Ireland of the Archbishop of Tuam [McHale] and other Bishops that had gone to Rome makes me believe that no meeting of Bishops is to take place in Rome. This makes me very uneasy, as in my humble opinion, if anything was to be done, it could only be done in that way. It is only by discussing quietly and coming to certain decisions that some practical result may be obtained. I may assure Your Eminence that on my part I have done my duty in exposing things and giving my humble opinion. If they deem proper to adopt other ways and to act otherwise I shall have no remorse whatever.²⁵

On February 12, 1888, Persico wrote to Manning in the same strain:

I am entirely of Your Eminence's opinion that the people of Ireland have had no defenders but the priests, and I firmly believe that the clergy in Ireland must be the guides and the protectors of the people. It would be an evil day for Ireland to separate the clergy from the people. I have shown this important fact in my reports to Rome.²⁶

The Holy See, in fact, did consult the Irish Hierarchy in the persons of Walsh and McHale. Leo XIII, as Walsh reported to Manning in a letter of April 4, 1888, showed a marvelous understanding of the Irish Question. "One would think," he wrote, "that outside the shores of Ireland there was nothing in the world that he took the smallest interest in." At the end of the audience, the Pope instructed them to draw up a *relatio* on the whole Land Question.²⁷

In the meantime, Persico was being forgotten in Ireland. His reports had not even reached Rome. But, Rome was only biding its time. It was while Walsh was drawing up his report at the request of the Pope, that the decree condemning the Plan of Campaign and boycotting issued from the Vatican. The decree was dated April 20, 1888.²⁸

The condemnation came like a bolt from the Italian blue to Persico and to the Irish Hierarchy. Persico, as a matter of course, was blamed for everything. He was the papal envoy, and it was

²⁵Leslie, *op. cit.*, 424.

²⁶*Ibid.*

²⁷*Ibid.*, 425.

²⁸*Ibid.*, 426.

only natural that whatever decision the Holy See made, would be based on Persico's reports. The laity was so incensed against him that he had to leave the Capuchin monastery at Pontypool where he was staying, and retire to the Carthusians at Parminister.²⁹ That he had nothing whatever to do with the condemnation of the Plan of Campaign is evident from his letter to Manning, on March 3, 1888:

If the Holy Father had waited another week, when my information would have been in his hands, the decree could not have been issued in present form. But then I should have felt some responsibility in the matter. As things stand I am quite clear.³⁰

In another letter to the same Cardinal written May 9, 1888, he protested against the accusation that he had caused the decree to be issued:

You are a Cardinal of the Holy Church, and one I deeply esteem and respect; hence I feel that I can speak as I would before the Holy Church and before God Himself. Now, it is known to Your Eminence that I did not expect at all the said Decree, and that I was never more surprised in my life as when I received the circular.³¹

Manning, himself, wrote on May 11, 1888, that it was his opinion "that Monsignor Persico had had no part in this late event. I do not say this lightly."³²

Persico's Mission to Ireland had failed. There was nothing to do but to return to Rome convinced that those who wish well to Ireland must expect to be sacrificed. However, despite his defeat in Irish affairs, he was rewarded by the Pope by being appointed Vicar of the Vatican Basilica, on November 14, 1888.³³ Two years later he was made a consultor of the Congregation of the Inquisition and later in the same year, Leo XIII appointed him Secretary of the Congregation for Oriental Affairs. Shortly afterwards, in 1891, the Pope made him Secretary of the Sacred Congregation de Propaganda Fide.³⁴

²⁹*Ibid.*, 428.

³⁰Zwierlein, *op. cit.*, 416.

³¹Leslie, *op. cit.*, 428.

³²*Ibid.*

³³*Analecta*, IV (1888), 372.

³⁴*Ibid.*, XI (1895), 313, 314.

But still higher honors were in store for Persico. Leo XIII decided to reward his many services to the Holy See by raising him to the dignity of the cardinalate. Therefore, on January 16, 1893, the year marking the fiftieth anniversary of his consecration to the episcopate, Leo XIII made the following announcement in Consistory:

VENERABLE BRETHREN: Divine Providence, the Preserver of life and Moderator of human events, has deigned to dispose that, after having five years ago, amid the warmest testimonies of public interest, celebrated the anniversary of our priesthood, we might live to see the fiftieth year elapse since our consecration as bishop. Our soul is fully imbued with the grandeur of this favor; and accordingly we have been led to speak to your illustrious assembly of the goodness of God, the Saviour, in granting to us health during so long a continuance of mortal life. These personal blessings bestowed on us give so much the more joy to our heart as they furnish an opportunity of salvation to a large number. The world, indeed, is moved at the sight of so great a favor on the part of God in prolonging the life of His Vicar; it turns its attention with more respect and affection towards the Apostolic See and sees there a pledge of the intervention of Jesus Christ in favor of His representative. Whence it follows that this fact, of a private and not very important character, through the will of God becomes an encouragement to religion and to the faith, which is certainly of a rare opportuneness if we consider the present condition of the times, since amid so many enemies embittered against the faith and Christian institutions, people strive incessantly and especially to make the Roman Pontiff odious and an object of suspicion to the masses, and, by drawing them away with pernicious errors, to detach them wholly from the Church. We therefore raise our eyes towards heaven and find in this thought of the wisdom and goodness of God a consolation for our sorrows; joy descends into our heart and we feel our soul ready to combat and suffer as much as He pleases.

We intend, Venerable Brethren, to add to your august College by creating as Cardinals, certain distinguished men, noted for their faith, who have served the Holy See with diligence and integrity, either as bishops, or as legates, or in carrying out civil duties. These are . . . Ignatius Persico, titular Archbishop of Damietta, Secretary of the Sacred Council for the propagation of the Christian faith.³⁵

³⁵ *Analecta*, IX (1893), 33, 34.

As Cardinal Priest, Persico was assigned to the following Congregations: Congregation de Propaganda Fide, Congregation of the Index, Congregation of the Seminaries and Universities and the Congregation of the Basilica of St. Peter. The Pope also appointed him Prefect of the Sacred Congregation on Indulgences and Relics, and Protector of the Sisters of the Third Order of Calais.³⁶

With all these honors, Persico remained always the humble and unassuming friar. He was especially known for love and loyalty to the Capuchin Order whose interests he faithfully sought to promote. While little has appeared in print respecting his life as Cardinal of the Church, it is only natural to expect that much relating to those three eventful years will be found in the Archives of Propaganda.

Towards the end of 1895, the Cardinal having been ill for some time, became paralyzed. Realizing that the end was near, he received the Last Sacraments. On December 7, 1895, the eve of the Immaculate Conception, he ended his busy life at the age of seventy-two.³⁷ The news of his death was carried in all the leading Catholic papers of the day. "English history," said the *Weekly Register* of December 14, 1895, "will always have a paragraph for Cardinal Persico, by whose death the Holy See loses a diplomatic agent and the Capuchin Order an exemplary friar."³⁸

³⁶*Ibid.*, XII, 31.

³⁷*Analecta*, XII (1896), 31.

³⁸Jeron, *op. cit.*, 326.

APPENDIX

The printed works of Cardinal Persico may be divided into: Newspaper Publications, Books, and Pastoral Letters. The list given below is taken from Appolinare a Valencia's *Bibliotheca*, 110, 111.

1. NEWSPAPER PUBLICATIONS:

- a) Persico was the first editor of the *Bombay Examiner* from the year 1850 until 1853.
- b) When on his tour of Europe in 1858, Persico published a letter in French in *La Gazette de Lyon* in which he begged for alms for his Vicariate. The letter is dated July 13, 1858.
- c) As Vicar Apostolic of Agra, Persico founded the *Agra Weekly Register* in 1860.
- d) During his years in the United States, Persico visited different cities where he preached many sermons, especially on temperance. Many of these sermons were printed in the newspapers of the time.

2. BOOKS:

- a) Persico published the following book during his mission to Rome in 1853 as Commissary of the Vicars Apostolic of India: *Memoria sullo scisma Indo-Portoghese se che si presenta al pubblico da un Missionario delle Indie Orientali* (Italy, 1853). It is a book of 156 pages of which the first ninety-one are text, the rest documents.
- b) *Notes on the Present Position of Catholics in India, Being the Matter of Petition Presented to the House of Commons and the Court of Directors of the Honourable Society of West Indies, on June 24, by Rev. William Strickland, Rev. Ignatius Persico, Commissaries of the Vicars Apostolic of India.*
- c) In 1858, Persico translated a work of Manning and published it under the title, *Fondamenti delle fede* (Rome, 1858). The book contains four sermons of Manning which the Cardinal had preached in South London. On page V, *sqq.*, Persico has a preface and a short biography of Manning.
- d) *Oraisons et sermons* were delivered and published at Paris in 1858.¹

3. PASTORAL LETTERS:

- a) *De juventutis institutione* (Agra, 1856), December 8.
- b) *A Pastoral Letter on the Late Disturbances*, printed at Agra, November 15, 1857. This *Pastoral* was translated into French and published in *L'Univers*, January 29, 1858.
- c) *Lenten Pastoral of April 14, 1860* (Bombay, 1875). This is a second edition.
- d) *Lenten Pastoral of the Right Rev. Ignatius Persico, Bishop of Savannah* (Savannah, 1872). A copy is preserved in Georgetown University Library.
- e) *Lettera pastorale di Monsignore Ignazio Persico al Clero e popolo*

¹Zawart, Anscar, *The History of Franciscan Preaching and Franciscan Preachers* (New York, 1927), 557.

delle diocesi di Aquino, Pontecorvo e Sora (Naples, 1878). In this *Pastoral*, Persico, according to Italian custom, gives a short history of his own life.

- f) *Lettera pastorale di Monsignore Ignazio Persico al Clero e popolo delle diocesi di Aquino, Pontecorvo e Sora* (Sora, 1879).
- g) *Lettera pastorale* (nella quaresima del 1882), in which Persico announces his visit *ad limina* (Sora, 1882).
- h) *Lettera pastorale di Monsignore Ignazio Persico al Clero, etc.* (Sora, 1883).
- i) *Lettera pastorale di Monsignore Ignazio Persico, etc.* (Sora, 1884).
- j) *Lettera pastorale di Monsignore Ignazio Persico, etc.* (Sora, 1885).

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PIONEER CAPUCHIN MISSIONARIES IN THE UNITED STATES (1784-1816)

By NORBERT H. MILLER, O.M.Cap., M.A.

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PIONEER CAPUCHIN MISSIONARIES IN THE UNITED STATES (1784-1816)*

BY REV. NORBERT H. MILLER, O. M. CAP., M. A.

I

INTRODUCTORY NOTE

The present study was prompted by an earnest desire to shed light on the lives of the first Capuchins in this country. Although it was not until 1857 that the Capuchins were formally established in the United States, individual members of the Order came here as missionaries when Archbishop Carroll was still Prefect Apostolic. Their numbers were few, their activities extended over a period of hardly more than thirty years, but these Friars have written their names indelibly on the pages of American Church history. The story of these early missionaries is one of undaunted heroism unfortunately associated at times with human weakness. It is a human story, a story of men who have worked faithfully and energetically in the vineyard of the Lord, until, consumed by their own swift energy, they died martyrs to their zeal. New York, Pennsylvania, Delaware, Maryland, Kentucky and Louisiana, all benefitted by their labors during the lifetime of Archbishop Carroll. New York owes one of its first churches to a Capuchin. The Catholics of Philadelphia still worship in an edifice whose first pastor was a Capuchin. And Kentucky, that El Dorado of the pioneer, had never seen a Catholic missionary until the advent of a son of St. Francis.

The Capuchin Order, which is an autonomous branch of the Order of Friars Minor founded by St. Francis of Assisi in 1209, came into existence in the first days of the Protestant Rebellion and was to play no insignificant part in the great Catholic Reaction. While it must be admitted that the Protestant Revolt affected the development of the Capuchin congregation, as it affected the whole Catholic world, it cannot be said that the Capuchin Order was founded to assist in counteracting the great Revolt. The Capuchin

*Presented for the Degree of M.A. at the Catholic University of America, June, 1930.

Order is the sole result of an internal reformation in the great Franciscan Family. Throughout the ages various reforms took place in the Franciscan Order. In 1517 the Bull of Pope Leo X, *Ite et vos in vineam meam*, finally sanctioned the separation of the Friars of the Observance from the Conventuals. But the Observants themselves gave rise to various reforms, the chief of which were: the Reformati, the Recollects, the Alcantarines and the Capuchins. This last reform, the only one to be declared autonomous by papal decree was sanctioned by Clement VII, July 3, 1528 by the Bull, *Religionis Zelus*. After nearly a century of dependence on the Minister General of the Conventuals, Pope Paul V in 1619 declared the Capuchins independent of the Conventuals and permitted them to have their own General residing in Rome.

The spread of the new Congregation was marvellous. In little more than a century after its foundation, its friaries were found in every country of Europe.¹ And simultaneously it was sending its missionaries to foreign fields. Throughout their entire history the Capuchins have distinguished themselves by their missionary labors. The Congregation of the Propaganda itself is a monument to their zeal, for it was the Capuchin, Jerome of Narni, Apostolic Preacher of the Papal Court, who with others, suggested its institution. Both the builder of the Propaganda College, Cardinal Anthony Barberini, and the first missionary and martyr of the Propaganda, St. Fidelis of Sigmaringen, were Capuchins.

Although it was not until 1587 that the Capuchin Congregation assumed responsibility for "missions among the infidels," individual friars had long before been allowed to make the great venture.² As early as 1551 Capuchin Friars opened missions in Constantinople and Cairo, and ever since, they have directed the missions in the Turkish Dominions. Fifteen years later they went to Crete. In 1624 the Order founded missions in Syria and Africa; 1627, in Asia Minor; 1631, in Africa, Egypt and Abyssinia; about 1640, in India; and in 1645, in Congo. However, the souls of the heathen in the lands beyond the great Atlantic were beckoning them. Their Brother Franciscans had been laboring in the wilds

¹Vogel, *The Capuchins in French Louisiana* (New York, 1928), VII.

²Cuthbert, *The Capuchins* (New York, 1929), II, 370.

of Brazil since 1549 and in 1611 the Capuchins sent missionaries there to help the cause of Christ. Some twenty years later they braved the more northern seas to plant the cross in the present territory of the United States. Père Joseph le Clerc du Tremblay (His Grey Eminence), the famous Capuchin statesman and secretary of Cardinal Richelieu, had been "dreaming his dream of a Catholic France which should be the heart of Christendom, and the dynamic centre of activities for the renovation and extension of the Catholic Church."³ He it was who sponsored so many of the missions of the early seventeenth century and he it was who first sent the Capuchins to North America. In 1630 he was commissioned by Propaganda to send French and English Capuchins to New England "to aid the Catholics and impede the progress of the Puritans." And two years later he entrusted the Capuchins of Paris with missions in Acadia and Maine. From Canada the Capuchins extended their labors in 1650 to Virginia.⁴ But the missions' days were numbered. The Acadian mission of the Capuchins came to a premature close when the Massachusetts Puritans occupied Acadia. As early as 1652 some of the priests were imprisoned, others were compelled to return to France. In 1656, the last remaining missionary, Father Leonard of Chartres, was murdered by the Puritans.

However, this was not to end the missionary career of the Capuchins in North America. Blood had been spilled but it was to be the seed of new missionaries. In 1722 in answer to the appeal of Louis XV of France, the Capuchins of Champagne took over the mission of Louisiana. Here they worked zealously until 1766 when the territory was ceded to Spain. The French Capuchins departed only to be replaced by the Spanish. And these remained until 1803 when Louisiana was ceded to the United States.

II

THE COMING OF THE CAPUCHINS TO THE UNITED STATES

Meanwhile, the colonies in the North had weathered the great crisis which was to mean so much to Church and State. The first shot had been fired at Lexington, the great Revolution had

³*Ibid.*, 377.

⁴Lenhart, "An Important Chapter in American Church History," *Catholic Historical Review*, VIII (1929), 522.

swept the land, the Treaty of Paris had been signed, the Thirteen Colonies were now an independent nation. The history of this period, however, would undoubtedly be different had it not been for Catholic France. Throughout the entire struggle "France had proven herself America's noblest and most genuine friend."⁵ War had hardly been declared when an American mission under the presidency of Franklin begged the assistance of the French Government in the great struggle for independence. Count Vergennes, the Secretary of Foreign Affairs at the time, was in favor of armed resistance, for France still felt the sting of the Seven Years' War. The King, Louis XVI, mediocre as he was in statesmanship, was a most Christian King in more than name, and there is no doubt that the future of Catholicism in this now dominantly Protestant country, was discussed by him and his ministers. But opposition at home was great. Richard H. Lee and Samuel Adams denounced the Alliance.⁶ The Loyalists considered it "a horror and an infamy worse than the Declaration of Independence."⁷ The bigots were afraid of Romanizing America and repudiated the Alliance even at the risk of losing hearth and home. However, the opposition was finally overcome and the Alliance was signed February 6, 1778. France immediately began to rush soldiers, money, warships and supplies to her new Ally, for France sympathized with the American ideal. She herself was on the verge of throwing off the yoke of aristocracy.

But ultimate victory was not the only boon Catholic France was to confer on the colonies. Not only the war against England was to be won, but the animus of English Puritanism was to be checked.

The Catholic priests hitherto seen in the colonies had been barely tolerated in the limited districts where they labored; now came Catholic chaplains of foreign embassies; army and navy chaplains celebrating Mass with pomp on the men-of-war and in the camps and cities. The time had not yet come for complete religious freedom, which gained slowly; but progress was soon made. Rhode Island, with a French fleet

⁵Guilday, *The Life and Times of John Carroll* (New York, 1922), 178.

⁶Wharton, *The Revolutionary Correspondence of the United States* (Washington, 1899), I, 456 ff.

⁷Guilday, *op. cit.*, 179.

in her waters, blotted from her statute-book a law against Catholics.⁸

The constant contact of Catholic soldiers and chaplains with the American soldiers and civilians soon began to have its good effects. Until then, the average American had known very little of the great Church except what had been handed down from his English forbears. He had never had the opportunity of coming in close contact with Catholics to disillusion him in his prejudices. Abbé Robin, one of the French chaplains, says that the little contact he had made with the Protestants in Boston, had shown surprising results: "Notwithstanding my being known for a Frenchman, and a Roman Priest, I was continually receiving new civilities from several of the best families in this town."⁹ The harvest, indeed, was white, but the laborers were few.

All these accounts, the French soldiers and chaplains carried back with them to France, and what influence they had in inducing French missionaries to come to America, is hard to estimate. Some hundred Catholic chaplains,¹⁰ twenty of whom were Capuchins, had been in the French Army and Navy. And after the War, some of these chaplains, touched by the plight of the Church in the land for which they had risked life and limb, volunteered as missionaries. We have no definite information as to their exact number. Those of the French Navy who are known to have remained or to have returned, are: The Franciscan, Father Seraphim Bandol, the Chaplain to the French Ministers; Father La Poterie, the Founder of the Church in Boston; and Father Sebastian De Rosey, O.M. Cap., who died in Maryland in 1812. Those of the French Army, some of whom are well known in Catholic annals are: Abbé Robin, the Author of the *Nouveau Voyage dans l'Amérique Septentrionale*, which was translated by the Poet of the Revolution, Philip Freneau, and published in Boston in 1783; Father Paul de St. Pierre, who labored in the Illinois country, and died at New Orleans in 1826; Father Charles Whelan, O.M. Cap., the founder of St. Peter's congregation, New

⁸Shea, *History of the Catholic Church in the United States* (New York, 1883), II, 166.

⁹Robin, Abbé, *New Travels through North America* (Paris and Philadelphia, 1784), 18.

¹⁰Germain, *Catholic Military and Naval Chaplains* (Washington, 1929), 23.

York City; and the celebrated Abbé Raynal, who stayed but a short time and returned an ardent Loyalist.¹¹

Little is known of the work of the Capuchin Navy Chaplain, Father Sebastian De Rosey. He has left practically nothing but his name in the annals of American Church history. Father De Rosey and three other Capuchins were Chaplains on the French man-of-war *La Reflechie*, which was in the fleet of De Guichen. When De Guichen returned to France from the Antilles, the *Reflechie*, on which Father De Rosey was one of the chaplains, was incorporated in De Grasse's fleet, which eventually fought in the battle of Yorktown.¹² Before coming to the United States as a missionary, Father De Rosey probably went to San Domingo. Shea in the only mention he makes of the Capuchin calls him "a priest from San Domingo."¹³ When he came to the United States as a missionary is not known. The Register and Diary of Bohemia Manor reveals that he was working in Maryland in the early part of 1797. The account books of the clergy of Maryland also reveal his name a few times. The largest single notice we have of him is contained in the diary of Brother Mobberly, S.J.:

During my residence at St. Inigoes in St. Mary's County (1806-1812), we were deprived of a pastor for nearly two years. Meantime we were obliged to go to St. Nicholas' Church, on the Patuxent River, a distance of fourteen miles. After a few months the Rev. Mr. De Rosey, a French Gentleman and pastor of St. Nicholas, agreed to give us church once a month at St. Inigoes, until we could be furnished with a pastor. He was a Franciscan (Capuchin) friar and, I believe, a very worthy man. He was a small man, about eighty-one years of age, and yet he was nearly as active as a boy. He was cheerful and agreeable. He was zealous and kept his congregation in good order. . . .¹⁴

Father De Rosey died at St. Nicholas' Church, December 27,

¹¹Guilday, *op. cit.*, 85.

¹²*Les Combattants Français de La Guerre Américaine (1778-1783)* (Washington, 1905), 191.

¹³*Op. cit.*, 513. Shea calls him Father Durosier. Various other spellings are also found: Deroset, Durosy, Du Rosey and Duvoisier. Dilhet-Browne says: "At a place called St. Mary's there is a church with a mission of which Mr. Duvoisier, formerly a priest of St. Domingo, is pastor. He is highly esteemed there for his work and great ability. He was formerly an officer of Louis XVI, King of France." *Beginnings of the Catholic Church in the United States* (Quebec, 1922), 60.

¹⁴Jeron, "The Capuchins in America," *Historical Records and Studies*, V (1909), 322.

1812 and is buried near the church. A tablet, inside the church is the only memorial of his long and almost forgotten services. He died intestate and his property is said to have been devoted by the State of Maryland to Charlotte Hall School, an Academy still existing in St. Mary's County.¹⁵

The other Capuchin chaplain, Father Charles Whelan, known in religion as Father Maurice, was destined to play no insignificant part in the marvellous development of the young Church which had just emerged from the Revolution.

III

FATHER WHELAN IN THE REVOLUTION

When Father Whelan arrived in the United States, the Church in this country was in an anomalous position. For years the Vicar Apostolic of London, to whose jurisdiction she presumably belonged, had taken very little active interest in her. During the vicariate of Bishop Challoner (1759-1781), his superiorship was virtually accepted by the fact that the priests and laity acted under the jurisdiction of the Jesuit Superior, Father John Lewis, who was his vicar general in the colonies. But Bishop Challoner himself seems to have held no communication whatever with the colonies. "There is no document in the Westminster Diocesan Archives or in the ecclesiastical archives in the United States to show any distinctive use by Bishop Challoner of his faculties in the matter of dispensations and subdelegation."¹⁶

¹⁵*The American Catholic Historical Researches*, XXVIII (1911), 255 (Cited throughout as *Researches*). The following is the inscription found in the new St. Nicholas' Church:

"G. Derosé. Sac.
Ob. Dec. MDCCXCII.
Maria L. Key (Sewall) Pos."

Practically most of the articles dealing with Father De Rosey, including that found in the *Woodstock Letters* for June, 1931, say that after his death the De Rosey property was given by the State of Maryland to Charlotte Hall School in St. Mary's County, Md. Under date of January 6, 1932, the following letter was received from Mr. B. F. Crowson, Principal of Charlotte Hall School:

"The secretary has today informed me that he has finished reading the Board of Trustees minutes for the two decades 1810-1830 but that he cannot find any mention of Father De Rosey or of any other priest even remotely resembling the name. Neither is there any mention of Charlotte Hall's having received any property by virtue of any one's dying intestate . . ."

¹⁶Guilday, *op. cit.*, 163.

Bishop Talbot, who succeeded Bishop Challoner, January 10, 1781, showed even less interest. He not only showed no desire to continue his American jurisdiction, but even refused to give faculties to two American priests who applied to him on their way home in 1783, declaring that he would exercise power no longer over the American Church.

As a result, the Church in this country found herself an orphan. Rome did not seem to be taking any active interest in her; London, on whom she had hitherto depended for her jurisdiction, disowned her. The vast country was alive with possibilities, material and spiritual, but the laborers were few and unorganized. The handful of priests here saw the dire need of some concerted action on their part if the Church in this country were to grow and present a united front against her enemies.

On June 27, 1783, in consequence of a call sent out by Father Lewis, who still continued to act as Vicar General of the London District, six deputies of the American clergy met at the old Jesuit mansion at Whitmarsh in a first General Chapter. Another meeting was held, November 6, 1783, and the final one, October 11, 1784. All the problems with which this historic Chapter dealt, have an important bearing on the history of the early Church in this country. But its paramount problem was the question of superiority over the Church in the Republic. In the second meeting of the Chapter (November, 1783), a Committee of Five was appointed to draw up a Petition to the Holy See, asking that Father Lewis be formally constituted Superior of the Church in the United States with certain episcopal privileges. The Petition was drawn up and forwarded to Rome. When the contents of this Petition became known to the rest of the clergymen, it was feared by some that it was not sufficiently respectful in tone, and accordingly another Committee, of which Father Carroll was a member, was appointed to draft another Petition. This second request for a superior contained the modification that they be permitted to elect their own superior. The following June (1784), Father Carroll was appointed Prefect Apostolic, but it was not until November 26, 1784, that he received the official documents. He had received unofficial notice some months before through

various channels, the earliest being from his friend in Rome, Father Thorpe, whose letter he had received, August 20, 1784.¹⁷

Unfortunately, Father Carroll's appointment did not settle the knotty problem of jurisdiction; through an oversight, Rome had placed Carroll in very embarrassing circumstances. "In the faculties sent me," he writes to his friend, Father Thorpe, February 17, 1785, ". . . I am particularly charged to grant no powers or faculties to any one who may come into this country, but those *quos sacra Congregatio destinaverit et approbaverit*."¹⁸ Carroll's hands were tied. It was an unfortunate situation. Rome was far distant in those days. Times were troubled. It took months to receive an answer. Such jurisdiction would mean very little to him in many instances. In the same letter to his friend he writes:

I shall in the meantime request permission to give faculties to other Clergymen, than those sent by the Propgda., of whose virtue and talents I shall have sufficient documents. For want of this power, the Catholics in the Jersies, N. Y., the great Western Country, bordering on the Lakes, and the Ohio, Wabash, and Mississippi (to say nothing of many in the N. England States and Carolinas) are entirely destitute of spiritual succours. The Catholics in some of these Settlements, have been at the expence of paying the passage of some Irish Franciscans, providing for their subsistence, and in erecting places of worship. These men have brought good testimonials; but I am precluded from giving them any spiritual powers.¹⁹

Father Carroll realized to the full his difficult position. The war was just over. Some hundred French chaplains had seen the condition of the Church in this country. Surely, some of them would come back as missionaries to help the cause of the Church so dear to their hearts. But he was not empowered to enlist their services until they had first received approbation from Propaganda. This would mean months of inaction on their part. In fact, at the very moment he wrote this letter, he was aware of the presence of a Capuchin French chaplain, Father Charles Whelan, a man of energy and ambition, who had been in New York City since the

¹⁷*Ibid.*, 169-177.

¹⁸*Ibid.*, 210.

¹⁹*Ibid.*, 211.

previous October, and whose services he could not enlist, because Propaganda had not yet answered his appeal for approbation.

Father Charles Whelan, who arrived in New York City in October, 1784, was the only Irish chaplain of the French Fleet who returned to the United States as a missionary. Conditions in and about New York City must have touched his heart as he passed through this district during the Revolution and saw the utter neglect of that Religion for which he had been taught to sacrifice his life. As soon as the Treaty of Paris was signed, at the time he with seven thousand Frenchmen was an English prisoner on the Island of Jamaica, he probably communicated to Father Carroll his desire of returning to the United States as a missionary. We gather this from a letter of Father Farmer written from Philadelphia to Father Carroll, July 19, 1783, in which he writes: "Your letter to Father Whelan I have not sent yet, but will send this week."²⁰

Father Whelan was born at Ballycommon, near Daingean or Philipstown in King's County, Ireland, about the year 1741.²¹ Ireland at the time was under the penal laws and a higher education could be obtained there only at the risk of the Faith, so the Capuchins had removed their novitiate and clericate to France. Thither Charles went, and on his reception into the Order in Bar-sur-Aube in 1771, he received the name of Maurice. In the course of the next year he pronounced his vows and after the required studies was raised to the dignity of the priesthood. His rise in the Province was rapid. May 1, 1779, he was appointed Master of Novices by the Provincial, Father Edmund Burke, having before been Vicar of the Convent at Bar-sur-Aube. He had also held the office of Provincial Secretary. "These posts," he wrote later, "I held until his Most Christian Majesty, Louis XVI, asked for chaplains for the fleet from our Community. I then, in obedience to my superiors, undertook that mission."²² Father Whelan together with another Capuchin, Father Frederick,

²⁰*Researches*, V (1888), 28.

²¹Stanislaus, "An Irish Capuchin Pioneer," *The Capuchin Annual* (Dublin, 1929), 72. The Records of Bohemia Manor say that Whelan was about sixty-five years of age at his death. This would place his birth at about 1741. *Records, of the American Catholic Historical Society*, XXI (1910), 247. (Cited throughout as *Records*).

²²Stanislaus, *op. cit.*, 73.

and a secular priest, Father Dowd of Ireland, was assigned to the ship Jason in the fleet of Count de Ternay.²³ The fleet of De Ternay, consisting of seventeen battleships and thirty-six transports carrying in all 11,748 officers and men, weighed anchor at Brest, April 16, 1780, and landed at Newport, Rhode Island, July 11, 1780.²⁴ The fleet was detained at Newport until August 21, 1781, when it sailed south for the Chesapeake to join De Grasse's fleet. After the victory of Yorktown, De Grasse returned to the West Indies, where on April 12, 1782, he was defeated by the British under Admiral Rodney.²⁵ In the letter mentioned previously, Father Whelan, who was with the fleet, recounts his experiences:

After passing through fourteen engagements at sea without injury, I was at length made a prisoner of war with Signor Village Knight of Malta in the vessel called the Jason, and was conducted a prisoner to Jamaica along with about 7,000 Frenchmen. Of this number fifteen hundred had been wounded. When the other chaplains, six in number, four French and two Spanish, were urged to visit at least their own wounded and sick, they all answered that they were no longer obliged to attend them, as their status as prisoners of war exempted them from this obligation. But I, deeming it contrary to the spirit of Christianity to abandon so many afflicted persons, many of whom were dying every day of dysentery and fever, as well as of their wounds, took charge of the whole

²³*Les Combattants*, etc., 230.

²⁴An interesting question presents itself here. In 1789 a move was set on foot by the Presbyterian Oneida Indians to establish an Oneida Bishopric with a certain Father John Louis Victor Le Tonnelier de Coulonges as bishop. A *Supplicatio* was drawn up, signed by the representatives of the Wolves, the Turtles and the Bears, and placed in the hands of their agent, Jean de la Mahotière who went to Paris and presented the *Supplicatio* to the Papal Nuncio. In a letter to Pope Pius VI (May 17, 1790), Mahotière explained that a chapel had already been erected for the Indians and that he expected to take back with him to America *six Capuchins*. Guilday, *op. cit.*, 407 ff. How these Presbyterian Indians became acquainted with the Capuchins remains one of the unsolved problems of history. It is possible that on their march from Rhode Island to Yorktown, some of the Capuchin chaplains in the French army found the time and the opportunity to do some missionary work among them. They did such work in Newport, Rhode Island, as is recorded in the *Journal* of Claude Blanchard, Commissary of the French Army. Under date of August 29, 1780, is found the following entry: "A score of savages arrived at Newport; part of them Iroquois. . . . Some other Catholic savages asked for a priest; we sent them a Capuchin who was chaplain of one of the vessels." Griffin, *Catholics and the American Revolution* (Philadelphia, 1909) II, 124.

²⁵Lenhart, "Contributions to the Life of Rev. Charles Whelan, O. M. Cap." *Records*, XXXVII (1926), 242-243.

work myself, and with the divine assistance was careful that no one died without having first received the Sacraments of the Church, although the five prisons then in Jamaica had all been turned into hospitals, because of the great number of sick in that hot climate. In a word, I had administered the Sacraments to 3,562 Frenchmen, 800 Spaniards and 35 Americans without remuneration. This is a fact that all can confirm who were captured with Comte de Grasse, during the thirteen months that I stayed in that Island for the sole purpose of assisting the dying prisoners.²⁶

After thirteen months of captivity, Father Whelan was paroled and went to Ireland for no other ostensible reason than to bring his two brothers with him to America. While the French Fleet was lying in the Bay of Pensacola, off the coast of Florida in 1781, "Father Whelan had received a grant of lands in Florida from the Spanish governor, and, offering to his two brothers in Ireland to put them in possession of these lands, he induced them to accompany him to America."²⁷ They arrived in New York in October, 1784. Father Whelan was now ready to begin his missionary career. "Little did he dream of the great things he was destined to accomplish for Christ in the New World."²⁸ The future was a closed book to him and best that it was. He was to do great things but he was also to suffer great hardships.

IV

FATHER WHELAN AND THE "CRAMPING CLAUSE"

The Province of New Amsterdam and later of New York had passed through a long period of Catholic history before the advent of Father Whelan, but Catholicism at the time of his coming was nevertheless a negligible factor. Isaac Jogues had been slain there for his faith; John Ury,²⁹ alleged to be a Catholic priest, had been hanged within its limits; but their blood seemed to water the soil in vain. Bigotry was still rampant, Catholics were timid and were still a downtrodden minority. In 1784, the year of Father Whelan's arrival, the New York Legislature just repealed that

²⁶Stanislaus, *op. cit.*, 73.

²⁷B. U. Campbell, "Memoirs of the Life and Times of Archbishop Carroll," *The United States Catholic Magazine*, VI (1847), 103.

²⁸Stanislaus, *op. cit.*, 72.

²⁹B. U. Campbell, *op. cit.*, V (1846), 678-682; VI (1847), 31-38.

infamous Act of 1770, which imposed perpetual imprisonment on "Popish Priests and Jesuits," found in the Province. Catholicism was in a sad plight. Father Whelan in his letter of 1785 records the condition of affairs at this time:

But passing through the province of New York, where freedom to practice our religion publicly without restriction is allowed, where heretofore a priest who celebrated Mass and administered any Sacrament would have incurred the death penalty; hence, there are many here married, without having received baptism, or any instruction when joining our religion. The Catholics here are very poor, but very zealous, being for the most part Irish. They are not able to build a chapel, nor even to buy a place for saying Mass, only a Portugese gentleman has allowed us a part of his house for that purpose. I hope that Providence will provide another place for us before next May, as this gentleman cannot after that oblige us. But I have confidence that the Lord will not fail us in our need, since poverty is not a crime in His eyes. Nor do I deem it a fault, as money is not the object of my labour, but only the glory of God and the salvation of souls.³⁰

Under these conditions it is not surprising that Catholicism in New York City was at a low ebb. The first priest who regularly officiated for the Catholics in New York City was the Jesuit, Father Farmer, and he could visit them only at intervals and in disguise, for the Act of 1770 was still on the statute books. The precise date of Father Farmer's first visit to New York is not known. B. U. Campbell reports a tradition that Mass was celebrated during 1781-1782 in a loft over a carpenter shop near Barclay Street. Mass was also celebrated in the parlor of the Spanish Consul and in 1785, before the church was built, in the house of Don Diego de Gardoqui, the Spanish Minister residing in New York.³¹

However, when Father Whelan arrived in New York City, the future outlook for Catholicism was really promising, despite the sad condition of affairs. John Talbot Smith writes:

His arrival occurred at a happy moment for him and his congregation. The government of the United States held its seat in New York; the foreign ministers resided there. At the meetings of the Congress Catholic members came to live

³⁰Stanislaus, *op. cit.*, 74-75.

³¹*The United States Catholic Magazine*, VI (1847), 102.

in the town, and Catholic merchants from France and Spain and their American possessions were establishing offices. The great social lights of official life were the ministers of France and of Spain. They had their embassy chapels and chaplains, and their high rank and influence gave standing to the Catholics.³²

Everything pointed to a promising future for Catholicism in the City of New York. Catholic France and Spain had given the Church more prestige than she had ever enjoyed before in the English Colonies. The Catholic was no longer merely to be tolerated but to be respected. Until the Revolution, the heaven had been dormant, now it was to spread and make itself felt. The outlook for the permanent establishment of Catholicism was, indeed, bright. But there were lowering clouds on the horizon and storms in the offing. It is the old story: the permanent foundation of the Faith must frequently be laid amidst thunder and lightning.

The first difficulty was caused by that "cramping clause" in Carroll's faculties. Father Whelan had been invited to New York by the Catholics there,³³ he had written to Father Carroll a whole year previous to his coming to the States, probably volunteering his services as a missionary, but when he arrived in New York he found to his utter dismay that he had no faculties and that Carroll could give him none. "This is the first example of the difficulty caused by the 'cramping clause' in Carroll's appointment."³⁴ Father Farmer in announcing Father Whelan's arrival to Carroll in a letter, dated Philadelphia, November 8, 1784, has this to say:

A Capuchin Friar arrived a few weeks ago in New York. The congregation has received him for a time, and allows him, consequently, a sustenance. I warned some of the principal members of not trusting themselves to him without your approbation. He has a variety of very good credentials, which I have inspected.³⁵

I found no fault but his too great presumption to act as if he

³²*The Catholic Church in New York* (New York, 1903), I, 27-28.

³³Shea, *op. cit.*, 265.

³⁴Guilday, *op. cit.*, 249.

³⁵Bayley, (*A Brief Sketch of the History of the Catholic Church on the Island of New York*) (New York, 1853, 41 note) writes: "I have been informed that Lafayette strongly recommended the Rev. Mr. Whelan to the kindness of the authorities of the State at the time he left to return to France."

had legal powers. I checked him for it. He had no other but the lame excuse that your reverence had not yet received your powers. They expect in New York one F. Jones, who is said to be a great preacher (which, alas! is all that some want who never frequent the holy sacraments). He is a *confrère* to Mr. Whelan, the above mentioned friar.³⁶

Father Farmer at this time was vicar general of the Prefect Apostolic, a post which he held also under the last Jesuit Superior, Father Lewis. The "cramping clause" was a source of worry to him and he realized the predicament of Father Whelan in New York. He lamented the fact that Carroll's powers were so curtailed, and in a letter of January 11, 1785 to Father Whelan, he advised him to write directly to the Nuncio at Paris for faculties. He writes:

This limitation puts us to no small inconveniences, and also the people. I have many times thought of y. last Christmas and of your congregation, being sorry, faculties necessary could not be given you. The best advice I can give is to write immediately to the Nuncio at Paris to give or procure y. the approbation of the propaganda; which being obtained, there shall be no more difficulty on that side of y. settlement in New York.³⁷

This was the occasion of Whelan's letter of January 28, 1785, to the Nuncio at Paris, portions of which have already been cited. It opens with these words: "Since it pleased Almighty God of His infinite goodness to call me (though an unworthy subject) to the priesthood, I have always done my best by His divine grace to fulfil the duties of my state." Father Whelan then gives a summary of his life and recounts his experiences in the War of Independence, which we have cited. The edifying letter concludes as follows:

³⁶Campbell, *op. cit.*, VI (1847), 103. Father James Jones did not come to the United States, but went to Halifax, landing there, August 28, 1785. On October 23, 1785, he was appointed pastor of Halifax and eventually became Vicar General of the diocese. He died about 1800. His Provincial wrote of him: "P. Jones . . . mirabilem progressum operatus est. Singulis diebus dominicis bis concionem habet. Omnes sectarii promiscue ad ipsum audiendum ex ardenti animo conflunt et publice fatentur et confidenter asserunt se numquam tam puram, tam excellentem et evangelicam audivisse doctrinam. . . . Perlegi epistolam cuiusdam nobilis . . . in qua praedictum P. Jones S. Paulo comparare haud hesitat." Candide (Causse), *Pages Glorieuses de l'Épopée Canadienne* (Montreal, 1927), 302.

³⁷Guilday, *op. cit.*, 249.

The French consul, Mr. St. John, is a very staunch friend to religion and furthers our cause as much as possible. He introduced me to the Marquis de la Fayette, and affectionately recommended me to the Governor and magistrates, and also procured for me their protection. His Excellency Mr. de Marboys has arrived here, which will be a very great advantage to our cause. I wrote to Rev. Mr. Carroll, who has been appointed Prefect Apostolic of this district by the Roman Court, to send me the necessary faculties for my mission. His Vicar, Rev. Mr. Ferdinand Farmer, examined my credentials, and soon after sent me the enclosed letter. This is why I come to trouble you, hoping your Eminence will save me the inconvenience of writing to Rome, since my work is pressing, and Easter is approaching, at which time I must glean the harvest of the Lord by calling back the sheep that have strayed away a long time from the Fold. I have converted to the Faith (by God's help) a great number of every class since I first came to these parts. I was surprised to find how easy it was to convert the inhabitants of this country. . . .

It is necessary for a priest in this place to know at least Irish, English, French and Dutch, since our congregation is composed of people of these nationalities as also of Portuguese and Spaniards. I entrust the whole matter to the profound judgment of Your Eminence, and hope that your condescension and your reply may enable me to fulfill the duties of my state with more alacrity. . . . ³⁸

At this time the Catholics in New York City numbered about two hundred souls according to Father Whelan's estimate,³⁹ but they were really sheep without a shepherd. Father Farmer could visit them only at rare intervals. Father Whelan, indeed, had been with them since October last, but that unfortunate "cramping clause," had withheld from him those powers which are a necessary adjunct to the priest's ministry. The more fervent Catholics evidently were clamoring for a priest who could hear Confessions, for Father Farmer felt obliged to explain matters to them. The situation was really sad, and in the confusion of it all, Father Whelan made the mistake of hearing two Confessions. The following excerpts from the letters of Father Farmer to Carroll in regard to this matter will sufficiently explain the whole affair. On February 21, 1785, he wrote to his Superior :

³⁸Stanislaus, *op. cit.*, 75.

³⁹Letter of Farmer to Carroll, February 21, 1785. Campbell, *op. cit.*, 104.

I have learned since, from a friend of mine in New York, that some of the people there are scandalized at the gentleman's taking upon him to hear Confessions, as I, when there, had told them that he had no powers. He did so, when I was there, that is, he heard the Confession of a couple he was to marry. I gently checked him for it, for fear of making him think I slighted him on account of his order. But I see now, I should not have spared him; for an absolution that is null could not have put the couple in the state of grace. I intend, as soon as I get leisure, to write to him, to endeavor to draw him out of his ignorance and presumption.⁴⁰

A few weeks later Father Farmer informed Carroll that he had written to Whelan and had told him of the invalidity of the Confessions he had heard. "Moreover," he continues, "I am informed that he says two Masses every Sunday, and I suppose also holy day. And he did the same on All Souls while I was at the place, as far as I remember. I intend, towards the end of April, to be in that city; be pleased to send me necessary instructions concerning him, and also a letter to him, if thought proper."⁴¹

Father Farmer, as he had promised, visited New York before the end of April and on his return to Philadelphia wrote a long letter to the Prefect Apostolic, giving him a detailed account of Father Whelan's conduct and activities. Apropos of Father Whelan's unfortunate mistake he wrote:

With regards to Mr. Whelan's conduct, I attribute it to an ignorance of the canon law, through which he persuaded himself, that what he could do in Ireland, he also could do here, and where he saw the necessity of confessing, he imagined to have jurisdiction, though I believe even of that term he was ignorant before I wrote him upon that subject a little before your grant of faculties arrived. His answers are always submissive, and I believe his behavior too; for after I wrote to him that he had no faculties to say two Masses, he ceased directly. I suppose what made him before take that liberty was the common practice of Dublin and elsewhere in Ireland, where, as I am informed, every priest says two Masses on Sunday. This is what I can say to excuse him, yet I shall send your letter to him that he may have some opportunity of disculpating himself. His moral conduct is not scandalous.⁴²

⁴⁰Campbell, *op. cit.*, 104.

⁴¹*Ibid.*, 104.

⁴²Guilday, *op. cit.*, 253-4.

Father Whelan had made an unfortunate mistake in having heard Confessions and in binating on Sundays and holy days without permission. It would be unjust, however, to attribute his action to any defiance of ecclesiastical authority. His life previous to this act had been that of a conscientious priest, a priest filled with zeal for the spread of God's Kingdom. This was Carroll's view of the matter. Some ten months later (December, 1785), in writing to his friend, Father Plowden, he says of Whelan: "The capuchin is a zealous, pious, and I think, humble man,"⁴³ and a month later (January 25, 1786) when trusteeism was stirring up its first revolt against his authority, Carroll answered the trustees who wanted Whelan removed with these words: "Can I revoke Mr. Whelan's faculties and leave so great a congregation without assistance? Can I deprive him, when neither his morals, his orthodoxy, or his assiduity have been impeached?"

In the meantime, April 16, 1785, Carroll had given faculties to Whelan, on the plea that Whelan had been in this country before he had officially received his appointment as Prefect Apostolic. In the same letter to his friend, Plowden, he writes:

The great necessity of the Catholics there induced me to give a liberal construction to the terms of my authority, and approve him upon the principle of his being in this country before I was restrained from employing any for the time to come, not sent and approved by the propaganda.⁴⁴

V

CAPUCHINS AND TRUSTEEISM IN NEW YORK CITY

Father Whelan now had faculties and held the distinction of being the first resident priest in New York. The Catholics in New York City were now an organized congregation with a duly appointed priest, but they still lacked a church. Greenleaf states that after their organization the Catholics at first worshipped "in a building erected for public purposes in Vauxhall Garden, situated on the margin of the North River, the Garden extending from Warren to Chambers Streets."⁴⁵ This place was not suited

⁴³Campbell, *op. cit.*, 102.

⁴⁴Guilday, *op. cit.*, 266.

⁴⁵Greenleaf, *A History of the Churches of All Denominations in the City of New York* (New York, 1846), 333-334.

for church purposes and in April, 1785, Hector St. John de Crèvecoeur, then Consul General of France in New York City, applied to the authorities for the use of the Exchange, a building then occupied as a court room. When the Common Council refused the request, Crèvecoeur resented the act as an insult, organized the faithful, and encouraged them to purchase property and build their own church. There was some difficulty in selecting the site, but during the summer, Father Whelan, guided by the judgment of Jose Roiz Silva, a Portuguese merchant and one of the newly elected trustees, bought a lease of five lots owned by the Trinity Corporation, on Barclay and Church Streets. Efforts were made to collect money in Ireland and France for the erection of the church. Shea mentions that the appeal to the French King appears to have met with no response and the matter was taken up by Don Diego de Gardoqui, the Spanish Minister,⁴⁶ who persuaded King Charles IV of Spain to donate 1,000 pesos to the struggling congregation.

June 5, 1785, the corner stone of the new church was laid by Gardoqui, and in accordance with the desire of the congregation the new church was named St. Peter's. It is curious that the reports of the ceremonies attending the laying of the corner stone make no mention of the Pastor, Father Whelan, who had labored so zealously to collect funds for the church. Father Farmer in a letter written to Carroll the preceding May had said: "He [Whelan] is now going about begging subscriptions (for building a chapel) among Protestants, He is fit for that purpose and gets numbers of subscriptions."⁴⁷ But Father Whelan had enemies from the very day he had set foot in New York. He was a man with a heart of gold but it was encased in a cold, gruff exterior. Father Farmer in the letter quoted above says:

A number of his countrymen, my old acquaintances and others do not like him; he is not very prudent, nor eloquent when speaking in public, nor has he the gift of ingratiating himself. Whilst in New York, I several times exhorted him to make himself more beloved of the people.

What seems to have been at the bottom of their dissatisfaction, was the fact that he was not a good preacher. Father Whelan,

⁴⁶Shea, *op. cit.*, 280.

⁴⁷Guilday, *op. cit.*, 254.

though of Irish parentage, received his education in France and was not well acquainted with English. The New York Catholics felt that the priest over them should be a man capable of attracting public attention as a speaker. Whelan was aware of his deficiency in this regard and their subsequent dissatisfaction with him. It may well be, though there is no document to that effect, that Father Whelan, wishing to satisfy his congregation, wrote to his superiors and suggested that a priest with such abilities be sent to New York, for, another Capuchin, Father Andrew Nugent, a priest belonging to the same Province as Father Whelan, arrived in New York in the fall of 1785.

The new arrival, Father Nugent, was a priest who had much experience in missionary work. Like Father Whelan, he also was born in Ireland and had received his education in France. Born in 1740 in Dalystown, County Longford, he entered the Capuchin Order in 1759 and was, consequently, Father Whelan's senior in religion by eleven years. He had already been Guardian of Vassy Convent, Definitor of the Province, and Master of Novices, when he was sent to the Irish Mission in 1773. He was a member of this community till 1780, and was then transferred to the Cork convent, of which he became Vicar. From here he came to New York in the fall of 1785.⁴⁸

When he arrived in New York, Father Carroll had not yet received a more ample set of faculties and consequently could not employ Father Nugent. But when he learnt from Father Thorpe, his friend in Rome, that there was no restriction upon his powers, he appointed Father Nugent assistant of the New York congregation. Harmony existed but a short while. Within a month Nugent had created his own faction among the trustees. He was a good preacher, and soon became the idol of the people to such an extent, that when a vote was taken up after Christmas, he received all but four. But, "unfortunately, his talents in that line, as has so often proved to be the case in clerical history, were linked with a spirit of egoism and insubordination."⁴⁹ A feeling of animosity developed between the two Friars, so much so that Father Whelan "published from the altar, that Mr. Nugent had no power to give absolution" and this "set the great friends of Mr. Nugent in a

⁴⁸Stanislaus, *op. cit.*, 78.

⁴⁹Guilday, *op. cit.*, 263.

rage against Whelan."⁵⁰ The disagreeable contest which followed, threatened to disrupt the little congregation completely. The trustees and friends of Nugent determined to ignore Father Whelan completely in order to force Father Carroll or Father Farmer to remove him. They finally threatened to have recourse to legal means to rid themselves of him.⁵¹ Father Carroll saw that the situation was really becoming serious and sent three letters to the participants, one to Nugent on January 17, 1786, another to Whelan, January 18, and a week later, January 25, he sent a strong protest to the trustees.⁵²

Unfortunately, the trustees did not heed the admonition and warning. They continued their opposition to Father Whelan, and he, after remaining at his post until February 12, 1786, resolved to leave New York with the hope that the storm of opposition would cease with his absence. He joined his brother at Johnstown, forty-five miles from Albany, and remained there with the firm intention of returning at Easter,⁵³ but affairs were not arranged in the interval, and the Prefect, whose confidence he had retained, empowered him a year later to found a mission in Kentucky. In the meantime, he lived with the Jesuits at Newtown, Maryland.

Father Whelan was heartbroken. He had worked with a zeal worthy of better success. The very congregation for which he had done so much turned its back on him. He had his shortcomings, it is true, but none that deserved such harsh treatment. His one desire had been to build a church in New York City. Almost a year before, according to Father Farmer:

A Canadian gentleman, an agent from the Illinois to Congress . . . made him [Whelan] a proposal of the revenue of a parish or parishes in those parts which he said would come to one thousand pound sterling per annum. The reverend father showed me even a pass thither from the president of the congress, and the Canadian gentleman offered to defray all the expenses. But he declined going at present, being intent, as he told me, to make first an establishment at New York.⁵⁴

Whatever were his faults, it cannot be said that Father Whelan was lacking in zeal for the spread of the Faith and in due submis-

⁵⁰Campbell, *op. cit.*, 146.

⁵¹Shea, *op. cit.*, 276.

⁵²Guilday, *op. cit.*, 264-267.

⁵³Campbell, *op. cit.*, 147.

⁵⁴*Ibid.*, 144.

sion to ecclesiastical authority. Father Farmer, March 6, 1786 writes:

What to me is the greatest difficulty in the approving of F. Nugent, is the arbitrary and ungenerous manner with which they forced poor Father Whelan to depart, who, though he was not very learned, yet was ready to ask and take advice, which, I believe, is not the quality of the former. The second is, they who take upon them to be the trustees (at least some of them) have the principle, that they can choose for themselves whom the please, whether approved by the superior or not, as I formerly heard they said, and as now the fact proves. The principle is of the most pernicious consequences, and must be contradicted.⁵⁵

Father Whelan was the first victim of that terrible scourge known as trusteeism, which, within the next few years, was to ravage the Atlantic coast and leave nothing but ruin in its wake. Fathers Carroll and Farmer had seen the handwriting on the wall and had been trying to avert the impending calamity. Carroll had already penned those words which were to be the battle-cry of the Bishops down to the very days of Archbishop Hughes: "If ever the principles then laid down should become predominant, the unity and catholicity of our church would be at an end."⁵⁶

After Father Whelan left St. Peter's the Prefect Apostolic was faced with a perplexing situation and had no alternative but to appoint Father Nugent temporary Pastor, whose faculties he limited expressly *usque ad revocationem*.⁵⁷ "I gave faculties to Father Nugent," he wrote to Antonelli, March 13, 1786, "for preaching the Word of God, administering the sacraments of baptism and matrimony, and the rest, whenever it was necessary. I acted thus, until I should receive an answer from your Eminence to the questions I put in my letter [February 27, 1785]; and as if the faculties granted me had already been amplified."⁵⁸ Two weeks later, March 27, 1786, Carroll received Antonelli's letter of July 23, 1785, granting him a more ample set of faculties and expressing regret that any misunderstanding as to the extent of jurisdiction had occurred. But this in no way changed the status

⁵⁵*Ibid.*, 147.

⁵⁶Letter of Carroll to the trustees of St. Peter's, January 25, 1786. Guilday, *op. cit.*, 265.

⁵⁷Farley, *History of St. Patrick's Cathedral* (New York, 1908), 12.

⁵⁸Guilday, *op. cit.*, 269.

of the New York congregation. Carroll did not entirely trust Nugent and thought it best not to appoint him permanent pastor.

In the meantime, affairs at St. Peter's were apparently going along smoothly under the leadership of Father Nugent. Except for a quarrel with the trustees in the spring of 1786 in regard to his salary, we have no evidence of any flagrant disorders. Whether this is due to the lack of documents on this period or to the fact that the pastor and his flock forgot their differences in their great undertaking, the building of their church, cannot definitely be determined. At any rate, the troubles of the past few years do not seem to have dampened the ardor of the members of the congregation in the building of their church. Like the Israelites of old, they seem to have been able to work with the trowel in one hand and the sword in the other. The work on the church had progressed so far by the end of the summer of 1786, that its dedication was set for November 4, the feast of St. Charles Borromeo, as a compliment to the King of Spain, Charles IV, who had been so generous a benefactor of the church.

The description we have of the opening of St. Peter's Church shows that the unpleasant situation of the past few years was evidently forgotten in the joy that the Catholics of New York were to have their own place of worship. The ceremony, as described in a letter from Gardoqui to the Prime Minister, Floridablanca, gives one the impression that the opening of the church was considered one of the outstanding events of the day. High Mass was sung by Father Nugent, who was assisted by the chaplains of the French and Spanish Legations. Father Nugent preached a sermon of thanksgiving, and after the sermon, Gardoqui gave a banquet at the legation to which all men of note in the city were invited. The event was a red-letter day in New York City.

However, this pageantry could not kill the general unrest. The little barque of St. Peter's was not destined to be launched on peaceful waters for some years to come. The quarrel between the trustees and Nugent broke out anew towards the end of the summer of 1787, and in October, Father Carroll hastened to New York to listen to the charges made against the Irish Capuchin. Shea writes:

The Trustees had learned none too soon that their action in regard to Rev. Charles Whelan had deprived the congre-

gation of a worthy priest and left it to the mercy of a wolf in sheep's clothing. They now besought the Very Rev. Prefect to deliver them from the very priest whom they had forced upon him. They presented such serious charges against the Rev. Father Andrew Nugent, that Dr. Carroll, informed from Dublin of his previous suspension there, withdrew the faculties which he had cautiously granted him only during his own pleasure. He appointed as pastor of St. Peter's congregation, New York, a worthy Dominican, the Rev. William O'Brien, who had already done parochial work in Philadelphia and New Jersey, and was highly commended by the Archbishop of Dublin, in whose diocese he had labored worthily for sixteen years.⁵⁶

But affairs were not so easily to be settled. Nugent and his followers refused to yield to Carroll's authority and an unfortunate scene took place in the newly founded church on Sunday morning when Father Carroll was about to say Mass. Father Nugent asserted his right to say the parochial Mass, and declared he would not yield it unless Carroll promised to make no allusion to him in his address to the people. To this, Carroll, of course, could not consent. Nugent then began a violent tirade against Carroll, and the Prefect in turn announced Nugent's suspension and cautioned the people against attending any Mass he might dare to celebrate. Carroll then retired from the church, followed by the greater part of the congregation, and said Mass in the private chapel of the Spanish Minister, Gardoqui. Father Nugent said Mass at St. Peter's in defiance of the Prefect. Shortly after, Carroll published an address to the Catholics of New York City, signed by the principal Catholics of the place, explaining the nature of his spiritual authority and of church discipline. "Lay intrusion into the sanctuary he called a fatal dagger plunged into the heart of religion, and disobedience to legitimate authority in the Church would have but one result to the schismatics—excommunication and spiritual death."⁵⁷

The trustees received Carroll's admonition in a loyal spirit and put a new lock on the church to prevent Nugent and his followers from entering, for Carroll had arranged to instruct the people the following Sunday on the nature and source of spiritual authority. But the schismatics broke open the door of the church, and when

⁵⁶*Op. cit.*, 323-324.

⁵⁷*Guilday, op. cit.*, 278.

Carroll attempted to address the people he was hindered by the tumult of the unruly crowd. The trustees wished to use force to oust the undesirables but the Prefect Apostolic counselled forbearance, and chose rather to leave the church, and for the second time he retired to the Spanish Embassy to say Mass. The schism was now beyond control, and seeing the futility of his efforts, Carroll left New York in November.

The first rent in the garment of the Church in the United States had been made. It would seem, however, safer to say that the schism was occasioned rather than caused by Father Nugent. The insurgents had long been restless under Carroll's authority and were waiting only for a leader strong enough to unite them in opposition. At the time, the Congregation of St. Peter's was a motley group, composed of Irish, French, Dutch, German, Portuguese and Spanish parishioners. Many of these parishioners were evidently immigrants who brought with them from their fatherlands not only their faith but possibly also their errors in regard to this faith and Church discipline. Febronianism was then rampant in Germany; Gallicanism had not yet received its deathblow in France: both were in favor of lessening the power of the Church and ecclesiastical authorities and placing more power in the hands of the laity. Carroll a few years previous had yielded to the insistent demands of the New York congregation by appointing Nugent in the place of Whelan and this was in no way conducive to curbing their unruly spirit. Add to this the fact that the Catholics were a negligible minority and were living in an atmosphere entirely Protestant, and it is not surprising to see that they were influenced by the vestry system of the various Protestant sects, which controlled church affairs, administered church property and appointed clergymen by the votes of a lay committee.

For them [Catholics] the standard of excellence for a pastor was his ability to preach, attract large audiences, and so increase the revenues of the church. They claimed the right to nominate or depose the pastor at pleasure. "In the minutes of the Board of Trustees of St. Peter's Church and of the old Cathedral, one comes across the remark time and again that the Rev. NN., being a good preacher, should be invited to fill their pulpit, no mention appearing of his virtuous character, his experience, zeal for souls, or the Bishop's sanction."⁵⁸

⁵⁸Farley, *op. cit.*, 17.

After Carroll left New York, Nugent and his followers retained possession of the church with the result that the faithful trustees were obliged to have recourse to legal means. In the records of St. Peter's are references to the expenses incurred by the lawsuits against Nugent and his adherents.⁵⁹

In the summer of 1788, Nugent was finally expelled, Father William O' Brien took his place, and with this the first schism in the American church came to an end. John Talbot Smith writes:

They awed the pugnacious Father Nugent into perfect quiet, for he is not heard of again in the parish history until his friends got up a subscription to send him back to Europe in the bark *Telemaque*, some date in 1790.⁶⁰

When Nugent arrived in France he found that he was without a home. Much had happened in France while he was in New York. At the beginning of the Revolution the Religious Orders had been suppressed and when Nugent went back to Vassy he found himself an outcast. He then applied to the Government for a pension as is seen from the following document:

Andrew Nugent, born in Ireland in 1740 according to his baptismal certificate, has made profession as a Capuchin with the Irish Capuchins of the Champagne, as is found in the records under date of September 24, 1760.

After his profession and theological studies he came to the house of Vassy, where he remained three years in the capacity of Guardian, Definitor and Master of Novices; during the whole time he had faculties from his bishops to hear confessions and according to his credentials he has finished the building of the house of Vassy during his term of guardianship. Thereupon he was sent as a missionary to Ireland and its dependencies in virtue of letters of obedience of the provincial of his Order, dated November 28, 1772, and of the Nuncio, dated March 4, 1773.

From 1773 to 1785 Andrew Nugent has labored as a missionary in Ireland. In 1785 he was sent to North America as a missionary, where, after having suffered untold hardships, he considered himself entitled to a rest in the house of Vassy. However, he did not know of its suppression, having most of the time resided in the interior of those vast countries, which made it difficult to hold any correspondence with Europe. Trusting to find rest and a sure sustenance at

⁵⁹*Ibid.*, 16.

⁶⁰*Op. cit.*, 31.

Vassy, he returned to France only to find that his house had been suppressed. He now claims as a Capuchin the pension granted to all Religious. His voyage from America has made him penniless; his charity and disinterestedness have prompted him rather to assist the poor than to seek his own profit and therefore he is more deserving of your consideration.

Since from the day of his profession he has never ceased, as is attested by the enclosed letters, to do his duties both as a religious and as a missionary, he claims the pension granted by the Decrees, and requests that you would, in view of the enclosed letters, kindly order that the pension which is due him be granted to him and paid him beginning with the date when it was first paid to his confreres.

Relying on your sense of justice, etc.,

ANDRÉ NUGENT.⁶¹

Whether Father Nugent received the pension, is not known. He died in France a few years later, September 8, 1795, aged 55 years.⁶²

VI

THE PIONEER MISSIONARY IN KENTUCKY

Father Nugent's defection, however, had not shaken the Prefect-Apostolic's faith in the Capuchins, as is attested by his letter to the Capuchin Provincial in Dublin, written (August 11, 1788) while the schismatic Nugent was still in New York. Carroll had evidently heard a rumor that Father Whelan, who was his only missionary in Kentucky, was to be recalled by the Irish Provincial. Alarmed at the news, Carroll wrote to the Provincial and requested that he permit Father Whelan to remain and even expressed the hope that Father Whelan might succeed in establishing a Capuchin community in this country:

I have no doubt that, with the help of Heaven, he [Whelan] will found a flourishing Church, and form a nursery for supplying good subjects to his Order, perhaps even to found a convent, which truly is much to be desired, in view of the great decline of Religious Orders in other parts of the world.⁶³

When this letter was written, Father Whelan had been in Ken-

⁶¹*Archives Départementales: Archives of Haute Marne. Series L. (Administrations de l'époque Révolutionnaire).*

⁶²Stanislaus, *op. cit.*, 80.

⁶³*Ibid.*, 81.

tucky more than a year. While Nugent in the spring of 1787 was stirring up a rebellion against the Prefect Apostolic, Father Whelan was obediently plodding his weary way to far-off Kentucky. Catholicism had just been recently established there, although no Catholic priest had as yet set foot on Kentucky soil. As early as 1775 Catholic emigrants from Maryland and Virginia had gone to Kentucky, but it was not until 1785 that organized Catholic emigration to Kentucky really began.⁶⁴ In this year, sixty Catholic families of Maryland formed a league and pledged themselves to migrate to Kentucky within the next few years. One of the prime motives that inspired the league was to secure the services of a pastor for their souls, and another to render his labors more easy, his life less lonely and his ministry more effective. But the scarcity of priests, the multiplicity of pastoral duties in the East, and the distance of the western mission, made it impossible for Carroll to assign them a priest immediately. Nothing daunted, the Catholics began migrating to Kentucky, relying probably on the promise of a priest from their Prefect Apostolic. But it was to be two years before the twenty-five families who had gone thither were to have the happiness of having an ambassador of Christ in their midst.⁶⁵

In the meantime, they had repeated their request. Carroll fully realized the necessity of sending a laborer into that portion of the Lord's vineyard. At the same time he realized that he must be careful in choosing his man. More than ordinary qualifications were requisite in the priest who was to undertake the laborious and important duties in the far-distant colony. The communications between Kentucky and Maryland were still difficult, therefore the new mission required a man of firmness and self-reliance, a man wholly attached to his Church and his Bishop. There were only some twenty-five families of Catholics in Kentucky, but possibly they would form as many nuclei of future congregations.⁶⁶ Catholic immigrants were constantly pouring into Kentucky, and the immediate future of the Church here might be made or unmade by one missionary. Carroll realized that he must choose a

⁶⁴Webb, *The Centenary of Catholicity in Kentucky* (Louisville, 1884), 26.

⁶⁵O'Daniel, *The Father of the Church in Tennessee* (Washington, 1926), 51-52.

⁶⁶*The United States Catholic Magazine*, III (1844), 771-772.

priest of physical and spiritual stamina, and his eye rested on the Capuchin, Father Charles Whelan. He remembered the Friar's heroic work in New York City. And, although past the flower of his age, Father Whelan did not hesitate to obey the call of his Superior, and we soon see him on his weary and dangerous path to the distant field of his future labors.

Early in the spring of 1787 Father Whelan and his party set out on their tedious journey and after some months arrived⁶⁷ in Kentucky and took up their abode in the section called Pottin-ger's Creek, about ten or fifteen miles from Bardstown. We can imagine more easily than portray the joy in the hearts of those hardy pioneers at the advent of the priest for whom they had been patiently waiting for these two long years. Father Whelan, on his part, was glad to meet his new parishioners, and with his characteristic zeal and energy immediately set about his Father's business. His mission was difficult, he knew; but like the soldier, his heart beat with gladness at the thought that he still enjoyed the confidence of his general. He was overjoyed to know that those dark, terrible days in New York had not sullied his reputation in the eyes of Father Carroll. Spalding says of Father Whelan:

⁶⁷It is generally believed that Father Whelan accompanied Mr. Edward Howard, who arrived in Kentucky in the spring of 1787. Webb, *op. cit.*, 68. Due to Indian warfare, the more ordinary route to the land of promise prior to the year 1795, was overland to Pittsburgh and then down the Ohio in flatboats to Maysville. From here the pilgrims made their way through the forests to the lands they had secured. If Father Whelan took this route to Kentucky, "as he most probably did, he was the first priest to set foot in Pittsburgh, and the first to offer up the Holy Sacrifice in Western Pennsylvania after the French occupation." Lambing, *A History of the Catholic Church in the Diocese of Pittsburgh and Allegheny* (New York, 1880), 37. Some historians maintain that it is probable that Father Whelan labored in the Sugar Creek District, western Pennsylvania, about the year 1796. De-Courcy-Shea says that in 1796 "a mission was founded at Sugar Creek, and was attended, it is believed, by Father C. Whelan." *History of the Catholic Church in the United States* (New York, 1879), 281. Spalding in his *Sketches of the Life, Times and Character of the Rt. Rev. Benedict Joseph Flaget* (Louisville, 1852), 73; 200, makes the same assertion and bases it on the testimony of Bishop O'Connor of Pittsburgh. But this opinion does not seem to have any foundation. Lambing, *op. cit.*, 365. Father Whelan's name is probably confused with that of Father Phelan, another Capuchin, who was working in this district at this time. Father Phelan is called also Wheeling and Whelan by some of the older historical writers. Huber, "Sportsman's Hall," *Records*, III (1888-91), 160. He was sent to Westmoreland County in 1795 and was Bishop Carroll's trustworthy agent in his trouble with the schismatic Fromm.

He labored day and night, preaching, catechizing, administering the sacraments, and making himself "all to all in order to gain all" to Christ. He was assiduous in the discharge of his duties. He was never known to miss an appointment, no matter how inclement the season, or how greatly he had been exhausted by previous labors. Often he was known to swim rivers, even in the dead of winter, in order to reach a distant station on the appointed day. On these occasions, the vestments, Missal, and ornaments of the altar, which he was compelled always to carry with him, were immersed in the water; and he was under the necessity of delaying the divine service until they could be dried at the fire.⁶⁸

But Father Whelan was destined to encounter difficulties of a more painful nature. In the words of O'Daniel:

The people had become unaccustomed to frequent the sacraments. The young were probably not well instructed in their duties. Many, through living in the forest wilds and being long deprived of a pastor's guidance, had grown headstrong and fallen into habits incompatible with Christian piety. Difficulties soon crossed the good missionary's path. He had no priestly companion with whom to consult, or to administer the waters of grace to his own soul all the while he was overburdened with ministering to those of the multitudes. He knew no rest. His incessant travels did not permit him even to erect a rude house of prayer. Having no home of his own, he was obliged to lodge with the families of the faithful in their humble log cabins. His life was lonely, and his age had begun to tell on his frame. All these things bore heavily upon God's minister.⁶⁹

Father Whelan, however, worked on with intrepid energy. Difficulties were but oil thrown on the fire of his zeal. Father Carroll in writing to Whelan's Provincial, August 11, 1788, says:

The accounts he has sent me are most consoling. Not only has he kept alive the spirit of religion amongst the Catholics, but in addition he has gained a great increase for the Church of Jesus Christ, by converting numbers of different sectaries. There is only one thing that causes me uneasiness regarding him. It is the fear that he will not get leave from his Superiors to remain there longer. Apart from his zeal, he is now accustomed to the manners and the hard life of the people. He is truly an apostle amongst them, and his re-

⁶⁸*Sketches of the Early Missions of Kentucky* (Louisville, 1844), 43-44.

⁶⁹*The Right Rev. Edward Dominic Fenwick, O.P.* (Washington, 1920), 71-72.

moval would be a deadly blow to religion, and probably destroy all the fruit of his labors. Hence, I very earnestly beg your Reverence to permit him to remain there to minister to and console so many poor souls, as well as to help those who are still to be born. I have no doubt that, with the help of Heaven, he will found a flourishing Church. . .⁷⁰

Prospects for the quick and effective spread of the Faith really looked bright. But again, those fateful lowering clouds appeared on the horizon which boded nothing but evil. No sooner had he settled himself in Kentucky than another storm arose and swept him from his work. Previous to Father Whelan's departure from Maryland, the Prefect Apostolic thought it prudent to provide for his support in the new mission. Accordingly, a contract was drawn up by which six of the principal emigrants to Kentucky had bound themselves to pay Father Whelan annually one hundred pounds in currency. Father Whelan had hardly settled himself in Kentucky when one or two of the contractors tried to have the agreement rescinded. The case was taken to court and the jury decided for the validity of the contract, but curiously enough, subjoined to the verdict the clause that the hundred pounds agreed upon should be paid in the produce of the country and not in currency, as contracted. Father Whelan naturally objected to the decision and may have become somewhat caustic in his remarks about those who had tried to have the contract invalidated, with the result that these same men sued Father Whelan for libel before the same court. This time the jury brought back the verdict of five hundred pounds fine or imprisonment until the payment of this large fine could be secured. Spalding remarks: "There was not, in all probability, that amount of money in the whole district of Kentucky. Father Whelan was, in fact, about to be taken to prison, whither he cheerfully offered to go, when the principal prosecutor, a nominal Catholic, offered to go his bail."⁷¹

It was probably this trial and subsequent sentence that made

⁷⁰Stanislaus, *op. cit.*, 81.

⁷¹Spalding, *op. cit.*, 47. The following incident may serve to show what spirit actuated the jury which gave this strange verdict and what likelihood there was for a priest to receive justice at their hands. Some ten years after this event, Father Badin, while travelling, stopped over-night with a man who happened to be on the jury when Father Whelan was sentenced. Not knowing that Father Badin was a priest, he related to him Whelan's trial and stated exultingly that they tried to have the priest hanged but were sorry they could find no law to justify themselves. *Ibid.*

Father Whelan decide to leave Kentucky. His reputation was ruined in the neighborhood and it seems he did the best thing under the circumstances by leaving the field of his labors—the second time a victim of his enemies' machinations. From now on, his name gradually fades from the pages of history. Sixteen years of labor were still before him but they are shrouded mostly in oblivion and could be described in almost as many lines. In 1790, the year he left Kentucky, he was in Johnstown, New York, for we find his name and his address in the first Catholic Bible published in the United States, to which he was a subscriber.⁷²

Except for a visit to Bohemia Manor, June, 1791, and a few flying trips to Philadelphia, nothing is known of his activities until 1799 when he was appointed Pastor of Coffee Run in Mill Creek Hundred, Delaware.⁷³ From here he attended the missions at Jenkins, O'Neills and Wilcox's (now Ivy Mills) near West Chester, Pennsylvania. But his sun was sinking in the horizon. He was now approximately sixty years of age and his missions were distant and difficult and he complains that he finds travelling "painful and difficult." He realized that his days were drawing to a close. "I suppose it is all over with me, as I labor under two violent infirmities," he writes to Bishop Carroll, February 23, 1803.⁷⁴ Accordingly, he was relieved of some of his missions by Father Patrick Kenny in August, 1804 and of the others in January, 1805. He retired to Bohemia Manor with the Jesuits where he died the next year. The following record is found in the Registers of Bohemia Manor:

1806, March 21—Died at the Head of Little Bohemia, the Rev. Charles Whelan, of the Order of St. Francis, formerly Chaplain in the French Navy, and lately Rector of White Clay Creek. He was about 65 yrs. of age. His remains were buried near to those of Mr. Faure, close to the East end of the Church of Bohemia.⁷⁵

⁷²Bayley, *op cit.*, 45.

⁷³Father Whelan, as is often asserted, was not at St. Mary's Church, Wilmington, Delaware. The Wilmington Church was not built until 1818. It is also frequently stated that Father Whelan was in January, 1800, at Mill Creek Hundred and in 1803 at White Clay Creek. White Clay Creek is in Mill Creek Hundred, so that in 1800 and in 1803, Father Whelan was at one and the same place. He gave the locations as the addresses in his letters to Bishop Carroll, hence the error in giving the places as his abode. Wilcox, *Researches*, XXVIII (1911), 130.

⁷⁴*Researches*, XXVIII (1911), 303.

⁷⁵*Records*, XXI (1910), 247.

The status of the Church in this country at the time of Father Whelan's death was much more favorable than it was twenty years previous when he had first set foot in America. During these twenty years, the little seed had sprouted and had buried its roots deep in American soil. Father Carroll was now a Bishop, and as such had governed the infant Church for the past sixteen years. Under his master hand, Catholicism had been growing apace, so much so that the Holy See was on the verge of raising the Diocese of Baltimore to a Metropolitan See, with Boston, New York, Philadelphia and Bardstown as Suffragan Sees. Except for a schism in Charleston, ecclesiastical affairs were moving along smoothly. The New York, Boston and Baltimore schisms had successfully been subdued. Father Elling, the last link with the unhappy Philadelphia schism, had just now resigned his pastorate of Holy Trinity Church. He it was, who, together with Father Goetz, succeeded in ejecting the Capuchin, Father Peter Helbron, the legitimate pastor of Holy Trinity Church, Philadelphia, in practically the same manner as Father Nugent had succeeded in having Father Whelan deposed some ten years previous. The story of Catholicism in Philadelphia during the first days of Carroll's superiorship is just as tragic as that in New York. The blight of trusteeism which had attacked St. Peter's Church, New York City in 1786, rapidly spread to Philadelphia and accidentally involved two more Capuchins who had just arrived in the United States. From the date of their arrival in 1787, trusteeism gradually gained strength until 1796 when it succeeded in ousting the last of the Capuchins and establishing a schism which was to last six long years.

VII

BREWING TROUBLE IN PHILADELPHIA

Organized Catholic activity dates back much further in Philadelphia than in New York City. Philadelphia boasts of having had the first public Catholic chapel erected in British America.⁷⁶ In 1733, Father Greaton, S.J., bought property on Walnut Street and built on it a tiny and unpretentious chapel which he called St. Joseph's. Using this as the centre of his activities he visited

⁷⁶Kirlin, *Catholicity in Philadelphia* (Philadelphia, 1909), 35.

his flock scattered throughout eastern Pennsylvania and New Jersey. The number of Catholics belonging to his parish at the time has been variously estimated from ten or twelve or to forty souls. Smyth in his *Present State of the Catholic Missions Conducted by the Ex-Jesuits in North America*, states that the congregation consisted of thirty-seven Catholics—twenty-two Irish and the rest German. Within the next twenty years the parish grew by leaps and bounds, and when Father Harding, the pastor, took up the census in 1757 he found that he had 1,365 Catholics. A larger church was imperative and in 1763 a new church, called St. Mary's, was erected.

In 1758 Father Farmer was made assistant to Father Harding, and after the latter's death, September 1, 1772, Father Farmer was placed in charge of St. Mary's until June, 1773, when Father Robert Molyneaux was appointed co-pastor.⁷⁷ With Philadelphia as his headquarters, Father Farmer journeyed as a missionary throughout eastern Pennsylvania, New York and New Jersey. He was a zealous missionary and at the same time a priest of no mean intellectual attainments. Although but an obscure missionary in America, he corresponded with various learned societies in Europe who recognized his mathematical ability. He was even appointed a trustee of the University of Pennsylvania.⁷⁸ Not only was he a man of erudition but of exceptional tact and prudence. His merit was recognized by all, but by none more than his Superior, Father Carroll. When the latter was appointed Prefect Apostolic, he found in Father Farmer a wise counsellor and an invaluable aid in the governing of the northern part of his vast diocese. It is a peculiar coincidence that immediately after Father Farmer's death (August 17, 1786), trusteeism in New York, Boston and Philadelphia broke out in all its fury. Trouble had been brewing during his lifetime, it is true. In Philadelphia, the Germans had long been wanting to start a national church, but Father Farmer had succeeded in pacifying them. If Father Farmer had lived twenty years longer, it is a matter of conjecture whether the early history of the Church in the northern section of Carroll's diocese, would be blotted by such disgraceful schisms.

The death of Father Farmer in 1786 deprived the German Catho-

⁷⁷Guilday, *op. cit.*, 244-245.

⁷⁸Shea, *op. cit.*, 279.

lies of the advantage of religious instruction in their own tongue and hastened the long-impending division between the Irish and German elements. Back in 1768 the Germans had bought their own cemetery from St. Mary's and some years later had built their own parochial school, as is evidenced by the fact that in 1787 the "German Catholic Society" met in the German school for the purpose of discussing methods and means for raising funds for buying ground for their new church.⁷⁹ Again, St. Mary's had been growing apace during the last years of Farmer's life, and in 1785, just a year before his death, Father Farmer received permission for Father Molyneaux and himself to binate on Sundays and holy days, which at that time was a rare privilege, and would seem to show that St. Mary's Church was becoming too small for the growing congregation.⁸⁰

Such was the state of affairs in Philadelphia when there arrived in the fall of 1787 three new priests for the American mission, one ex-Jesuit, Father Graessl, the future Bishop-Elect, and two Capuchins, Fathers John Baptist Charles Helbron and Peter Helbron, who were brothers. The two friars were born at Hilbringen, im Kreise Merzig, Rhenish Province, the present diocese of Treves, and had come to America in response to a letter which had appeared in the *Mainzer Monatschrift von Geistlichen Sachen*, in 1785.⁸¹ "Both were men above the average intelligence and they soon made an impression on the German Catholics of Philadelphia and the vicinity."⁸² Of the two brothers, Father Charles seems to have been the more gifted. Historians comment on his exquisite Latin style displayed in his few letters to Carroll. They tell us that he was also an excellent preacher. It was this latter attainment of his that possibly induced the Germans of St. Mary's Church to request Carroll to appoint him their co-pastor in the place of the recently deceased Father Farmer.

⁷⁹Griffin, "Church of the Holy Trinity," *Records*, XXI (1910), 6-7.

⁸⁰Kirlin, *op. cit.*, 123.

⁸¹Hertkorn, *Retrospect of Holy Trinity Parish* (Philadelphia, 1914), 5. The exact date of the birth of the two Helbron brothers has just recently come to light. Under date of August 20, 1930, Felix Fellner, O.S.B. of St. Vincent's Archabbey, Beatty, Pa., writes to John M. Lenhart, O.M.Cap., both of whom have written extensively on the early missionaries in this country: "Today I have received this news from Trier, Germany: 'Baptizatus 9 Julii, 1739 Petrus Helbron, filius Joannis Matthiae Helbron et Mariae Magd. Gottlieb ex Hilbringen. 8 Maii, 1746 Carolus Andreas Helbron.'"

⁸²Guilday, *op. cit.*, 291-292.

When the Capuchins arrived in Philadelphia, Father Carroll was in New York unsuccessfully trying to forestall the impending schism. On his way to Baltimore he stopped in Philadelphia and the Germans on November 22, petitioned him to appoint Father Charles Helbron in the place of Father Farmer. To this Father Carroll would not accede, saying that he had already appointed Father Graessl to the post. A faction arose. Mr. Oellers, one of the chief representatives, wrote Father Carroll a somewhat abusive letter, saying that Father Graessl was not fitted for the post, having had no experience. Father Helbron

is the Gentleman best fitted to answer our purposes, as we are all confident, that he will by his good Example in a very short time Collect the Flock again together, which had in some Measure through Neglect gone astray within this 15 months past. . . Should it be still your determination to have the said Father Cresler [Graessl] appointed against our will, we beg leave humbly to request that you will be pleased to leave us the Rev. Mr. Helbron, Junr., here, whom we will support in all necessities at our own Expense. . .⁸³

But Carroll was adamant. Trustee troubles in New York had taught him a lesson and he would not recede from his position. For a while the situation was delicate in Philadelphia. Both Father Graessl and Father Helbron seem to have left the city during the threatening troubles. There is no extant record of Charles's movements until February 25, 1789, when he was doing duty at St. Mary's Church, Lancaster, Pa.⁸⁴ It is probable that to avoid trouble he retired to Goshenhoppen with his brother, Father Peter. Father Peter had been appointed pastor of Goshenhoppen, November 12, 1787⁸⁵ and remained here until he eventually became Pastor of Holy Trinity Church, Philadelphia, when his brother Charles left for Europe in the fall of 1791.

⁸³Griffin, *op. cit.*, 12-13.

⁸⁴Kirlin, *op. cit.*, 120.

⁸⁵Goshenhoppen was in Berks (now Bally) County, Pennsylvania. St. Paul's Mission Church was established there in 1741 by Father Theodore Schneider. In 1837 its name was changed to the Church of the Blessed Sacrament. In Volume II of the Registers here, Father Peter Helbron signs himself as the "Third Missionary delegated thereto on Nov. 22, 1787, by the Superior of the Mission." *Delegated* may mean that he received his official appointment under date of November 22, though the date given may be a possible error due to the inability of the transcriber to decipher his peculiar handwriting. The Register shows that Father Peter baptized Elizabeth Arens, November 13. It would seem that Father Peter was appointed pastor here November 12. Griffin, *op. cit.*, 8.

The Germans, meanwhile, were not idle. They held a meeting at the house of Adam Premir, February 9, 1788, in which they elected eight trustees and devised plans for launching a subscription for a new church. The ground was bought February 21, 1788, and two days later, Adam Premir, in the name of the Germans notified Carroll of their action and said he hoped their mode of procedure would not be interpreted by him as if they were "acting out of passion and direct opposition." On March 3, 1788, Carroll replied that the plan of building a church, in so far as it was conducive to their better religious instruction, received his hearty endorsement. "On the other hand," he continues, "I am not acquainted with your ability to provide a house and maintenance for your new pastor to enable me to judge how prudent your plan may be at this time. I hope there is not danger of causing such a separation amongst Roman Catholics, as will prevent divine service from being performed with the same concourse and general approbation as at present. . . . I hope that you have weighed these matters maturely and dispassionately."

At the same time Carroll was suspicious of their motives, although the Germans had previously disclaimed any feeling of resentment due to his refusal to appoint Charles to the pastorate of St. Mary's. And with the schism of New York evidently in his mind, Carroll thought it necessary to remind the Germans that they would not be permitted to appoint their own pastor. "Above all things," he added, "be mindful of charity and brotherly love, avoid contentions, never assuming the exercise of that power, which can only be communicated to the minister of Christ: let the election of the pastor of your new church be so settled that every danger of a tumultuous appointment be avoided as much as possible. In any country this would be hurtful to religion; in this, it would totally destroy it. . . ."86

Ground was broken for the new church on March 31, 1788, and during the next months, work on the church progressed so rapidly that by September 18, the church was under roof. While the material structure was progressing, the trustees applied to the Legislature for an Act of Incorporation and the charter was granted October 4, 1788 under the title "The Trustees of the

⁸⁶Kirlin, *op. cit.*, 124-125.

German Religious Society of Roman Catholics called the Church of the Holy Trinity in the City of Philadelphia." The Holy Trinity Parish was now a duly incorporated society under the laws of Pennsylvania. The society as such had bought its own ground, had erected its own church at its own expense, and now proceeded along those lines against which Carroll in his letter of approval of March 3, 1788, had expressly warned it. On March 22, 1789, the members of the congregation held an election for the pastorate, in which seventy-five votes were cast for Father Charles Helbron, twelve for Father Causse and five for Father Graessl. The pompous announcement of the election sent to Carroll the same day gives one an insight into the attitude of the trustees:

. . . . We, the Lawfull Trustees of the Corporation of said Church, do hereby certify that the Reverend John Carol Helbron was duly chosen by a large majority of the Votes, the first pastor for the said Church and we the Subscribers do hereby Impower the said Rev. John Carol Helbron to present Himself to the Right Reverend John Carroll for his further approbation.⁸⁷

They had done just what Carroll wished them not to do and he consequently refused to acknowledge their election. The Nugent affair in New York had taught him to be wary and not to make any compromises whatever with the trustees.

The trustees, in the meantime, made preparations for the grand opening of the church. The fact that they had not as yet a duly authorized pastor, seems not to have entered their minds. The Minutes of the Trustees under date of November 1, 1789 reads:

In the name of the Most Holy Trinity, in a meeting of the trustees of Holy Trinity Church, held the first of November, Anno Domini one thousand seven hundred and eighty-nine, it was resolved that on the twenty-second inst. the said church be opened for the first time for public worship, and that all pains be taken to have divine service celebrated in a most elaborate manner. Furthermore it was resolved that printed invitations be sent to all notable persons, viz., to the whole Congress, to the Governor, to the Assembly of States, to all clergymen and laymen of distinction. . . .⁸⁸

The affair was to be a gala day in Philadelphia, something to

⁸⁷Hertkorn, *op. cit.*, 36.

⁸⁸*Ibid.*, 36-37.

compare with the opening of the new St. Peter's Church in New York just three years before. The day was set, the invitations mailed, arrangements made—all without a pastor. Why Carroll appointed nobody to the post, is hard to say. It was over a half year since he had refused to ratify Charles' election to the pastorate. However, November 22, the day set for the opening of the church finally dawned and it was on this day that Father Charles Helbron made the mistake that was to bring so much trouble on his head.

Presumably on the invitation of the trustees, he officiated at the opening of the new church, although he was well aware that with Carroll he was no *persona grata* for the pastorate of Holy Trinity. Whether he did this out of a spirit of opposition to Carroll or of friendliness to the Germans, whom he wished to save from an embarrassing situation, cannot absolutely be determined. The circumstances would seem to warrant the latter supposition. Just a month previous, October 8, 1789, Charles had written to Carroll: "I never will be anywhere placed as an officiating clergyman without submission and dependence to the Ecclesiastical Superiority."⁸⁹

And whatever were Father Helbron's faults and mistakes, we cannot accuse him of duplicity. He was rather too outspoken in his dealings with Carroll.

The difficulties of these few weeks would seem to be due to a coincidence of unhappy delays and interpretations rather than to any schismatic tendencies on the part of Father Charles Helbron. The situation seems to have been this: Father Carroll really intended to appoint Father Charles pastor of Holy Trinity Church but held off his appointment until the last minute, hoping thereby to teach the trustees a wholesome lesson. Delays in the mail were frequent in those days, with the result that Charles received his appointment as pastor only on December 2, 1789,⁹⁰ ten days after the opening of Holy Trinity Church. Meanwhile, Charles had officiated in the church without permission on November 22. When the news of Charles' action reached the ears of Carroll, he, sensing insubordination on the part of Charles and the Germans, hastened to Philadelphia to avert any possible schism. With this thought in

⁸⁹*Ibid.*, 36.

⁹⁰Griffin, *op. cit.*, 36.

mind, the Prefect Apostolic, as soon as he arrived in Philadelphia, notified Charles that he must appear before him immediately and acknowledge in writing that he could exercise no parochial functions independent of the Prefect Apostolic. Charles was naturally incensed at such a demand, since just two months before he had written to Carroll that he would never officiate "without submission to the Ecclesiastical Superiority." Being a man somewhat independent by nature, he at first refused to appear, until Carroll on December 31, revoked his appointment of December 2, and threatened him with suspension if he refused to make his submission within two days. Charles then appeared before the Prefect Apostolic and signed the document that "neither I nor any other Catholic clergyman in the United States can lawfully administer the Sacraments, preach or perform parochial functions, but inasmuch as we are approved by the Ecclesiastical Superior thereof."⁹¹

Personal grievances and not schismatic tendencies seem to have dictated Father Helbron's mode of action with the Prefect Apostolic. During the very week he refused to appear before Carroll, he advised the trustees of Holy Trinity to relinquish their claim to the right of presentation, as the following record in the Minute Book of the Trustees shows:

At a meeting of the Trustees at the Holy Trinity Church in the City of Philadelphia, held the 23 of December, 1789, A. M. was proposed and requested by the Reverend Charles Helbron president of the Corporation that it was better to leave and renounce the Right of patronage to the Right Reverend John Carroll; and after some consideration on this Head Mr. Premir rose and proposed to leave it to the votes of the Corporation by Ballots, when it appeared by closing of said Election that they were unanimously against it & it was carried in the negative.⁹²

It is probable that Father Helborn in his meeting with the Prefect Apostolic explained his imprudent act of November 22, for on January 6, 1790, Carroll solemnly reinstated him as pastor of Holy Trinity Church after Father Helbron had read to the congregation his due submission to ecclesiastical authority. Peace was once more established and on February 6, 1790, Charles signs himself in the Records of Holy Trinity *Primus Curator*.

⁹¹*Ibid.*, 40.

⁹²*Ibid.*, 38.

Nevertheless, Carroll seems to have been uneasy about Charles. Shea says, without quoting any document or authority, that when Carroll the following summer went to Europe to be consecrated Bishop, he requested the Superior of Father Charles to recall him.⁹³ However, the newly consecrated Bishop was not to be burdened with Father Charles much longer. The debt on Holy Trinity was enormous, exceeding some 2,300 pounds,⁹⁴ and seeing that there was very little prospect of collecting that sum in this country, Father Charles received permission from the Bishop to go to Europe to collect the money. Father Matthew O'Brien of St. Peter's Church, New York, was touring Mexico at the time, trying to raise sufficient funds to pay off the debt on St. Peter's.⁹⁵

In the beginning of August, 1791, Father Charles Helbron wrote to Bishop Carroll and requested him to appoint his brother, Pastor of Holy Trinity Church during his absence, to which Carroll sent an affirmative reply, August 14, 1791. Father Peter Helbron immediately left Goshenhoppen, where he had been stationed since he had arrived in this country in 1787, and was in Philadelphia, August 19, as we see from the baptismal record of Holy Trinity. Father Charles finally set sail for Spain, November 13, 1797,—never to return. From, Spain, he went to Bayonne, France, where he was guillotined, November 25, 1793. He was then forty-seven years of age.

It is highly probable that Father Helbron, despite his checkered career in the United States, died a martyr's death in the French Revolution. His brother, Father Peter Helbron, in a letter to Bishop Carroll, December 11, 1806, writes:

My Brother left this city in order and command of the sayd trustees to collect in Europe for the said church, [Holy Trinity] of which by the revolution of France he was as much as I (am) informed a true victim rewarded by a merciful God.⁹⁶

Shea in a footnote has this remark: "Rev. Charles Helbron, was recalled to Europe, and became one of the martyred priests of

⁹³*Op. cit.*, 418.

⁹⁴The pound here is not equivalent to the English twenty shillings or about \$4.86, but is to be reckoned at \$2 2-3 of Federal currency. Hertkorn, *op. cit.*, 41.

⁹⁵Guilday, *op. cit.*, 626.

⁹⁶Fellner, "Trials and Triumphs of Catholic Pioneers in Western Pennsylvania," *Records*, XXXIV (1923), 317.

the French Revolution. Cardinal Antonelli to Bishop Carroll, August 14, 1790."⁹⁷

Very recently new material apropos of Charles' execution has come to light. Daranatz, *Curiosités du Pays Basque* (Bayonne, 1927), gives us the report of Father Helbron's arrest and a few details of his execution. The author ends his account with these words:

I regard Helbron as a martyr, a true martyr; yet he was certainly a constitutional priest, elected by common votes. Helbron was sentenced to death by order of Monestier, because he protested against the closing of his church.⁹⁸

That Helbron was a Constitutional priest is evidenced by the fact that he was curé of Anglet. Haristoy speaks of "Charles Helbron, Capuchin, who took the oath and as a reward for his apostasy, received the charge of Anglet."⁹⁹ Whether Father Helbron, being a stranger in the country, knew the full import of the oath, is another question, and one that cannot definitely be answered due to lack of documents. But whether he acted in good faith or in bad faith, it is certain he was arrested by the Revolutionists and executed, it would seem, *in odium fidei*, and this in itself would be sufficient to constitute him a martyr in the real sense of the word. The following report of his arrest is still preserved in the *Archives Communales d'Anglet*:

Today the fourth Frimaire of the second year of the French Republic, one and indivisible, at the ordinary place of meeting of the municipality, we . . . assembled in the town hall and engaged in the interest of public affairs do depose to wit: we have been informed by the citizen Lafourcade, Mayor, that the citizen Helbron, Vicar of this community, was in the pulpit of the church preaching to the people who had gathered to hear Mass, and as far as he could make out—for he was hard of hearing—*attacked the Constitution*. The Mayor, not knowing what to do, left the church and decided to inform us. We on our part repaired to said church immediately. Said Helbron had just finished the sermon and was now proceeding with the Mass. We therefore waited till the end of the Mass and then charged him with misdemeanor;

⁹⁷*Op. cit.*, 269. Incidentally, this letter could not have been written before 1794 for Charles was executed only on November 25, 1793.

⁹⁸Daranatz, *op. cit.*, 332.

⁹⁹Daranatz, *op. cit.*, 55.

we likewise demanded that he produce the manuscript from which he had just read his discourse to the people. The contents of the manuscript proved him to be a rebel inciting opposition against the laws of the Republic.

Thereupon, and on the motion of the citizen Lamolere, deputy and acting procurator of the Commune in the absence of the citizen Gourgues, the Council General of the Commune has decreed that the writing in question shall be immediately placed at the disposal of the Committee of Vigilance of the Canton Biarritz, the Committee to take such measures as are necessary to preserve public peace and the orderly dispatch of laws; likewise, the said Council General has in the present case deemed it a matter of prudence to watch closely the movements of the said Helbron by placing two national guards in his house.

A report of all these things has here been properly drawn up and addressed to the Committee of Vigilance of the canton. Those able to write have attached their signature hereto; those whose signatures are not found here, being unable to write, have signified their will by responding to the questions of the undersigned clerk of this office.¹⁰⁰

The record bears the following marginal note: "Arrest of Mr. Henebron (*sic*), vicar of Anglet, 24 November, 1793. It took place on Sunday after the parochial Mass, and he was guillotined after his arrest. Executed at Bayonne, on . . . November, 1793."

The poet, John Anthony Reynon Regagnon, who wrote much on the Revolution, says in one of his manuscripts: "What had the venerable curé of Anglet done? His crime was that he had opposed the orders of Monestier, Pinet and Cavaignac, the representatives of the people, to close the church. At his departure the inhabitants expressed the greatest affection. His words of farewell were few, and closed with the appeal: 'Obedience is the first duty of the citizen. Observe the laws. Today is the first day of the Republic and the last of the Gospel.'" ¹⁰¹

The same poet has written a stanza, presumably about Helbron:

Un vieillard respectable et septuagénaire
 Parla d'amour des lois et de Dieu, de la chaire.
 A peine eut-il fini son très sage sermon,
 Qu'il fut pris et conduit au fond d'une prison;
 Et pour avoir parlé de morale divine,
 Il fut décapité dessus la guillotine.

¹⁰⁰*Ibid.*, 305-306.

¹⁰¹*Ibid.*, 330.

Darrantz appends this note: "This guillotined was the curé of Anglet, Charles Helbron, ex-Capuchin priest who took the oath."¹⁰²

Just why Daranatz calls Charles Helbron an ex-Capuchin is hard to determine. While in this country Charles evidently considered himself a Capuchin, as is seen from his letter to Father Carroll, October 8, 1789, in which he complains that "I must hear so many things both against myself and against my *Order* while I am here."¹⁰³ Again, Shea, as mentioned previously, states that when Carroll went to England to be consecrated Bishop, he requested the *Superior* of Charles to recall him.¹⁰⁴

VIII

A VICTIM OF TRUSTEEISM

Father Peter Helbron who became pastor of Holy Trinity Church, Philadelphia, when his brother sailed for Europe, is described as

a man of culture and refinement; punctiliously neat and precise in his priestly attire and duties; with a dignified and commanding presence; sitting on his horse with a military grace and repose that formed an unfailing source of admiration to his flock, and perhaps was not untinctured with a little pardonable vanity on the part of the rider. This accomplishment which tradition recalls in the Alleghanies as well as Philadelphia, is easily accounted for by the fact that Father Helbron had done military duty in Prussia before his elevation to the priesthood.¹⁰⁵

The new pastor of Holy Trinity needed every ounce of his indomitable courage for there were trying times ahead. The next few years were to test the metal of the "staid old campaigner" as it had never been tested before. Financial worries, moral responsibilities, pestilence among his flock and finally trusteeism—all were to be crowded into the next five years. His was not the grace to fall a martyr under the knife of the guillotine, his was to be a life of trial and tribulation. The Revolution in France which had robbed him of his brother, now sent its profligate votaries to

¹⁰²*Ibid.*, 305.

¹⁰³Hertkorn, *op. cit.*, 36.

¹⁰⁴*Op. cit.*, 418.

¹⁰⁵Ganss, *History of St. Patrick's Church, Carlisle, Pennsylvania* (Philadelphia, 1895), 124.

Philadelphia in 1793, with the result that a moral plague swept the city. So great was its influence that the coins struck during this year bore the obscene figure of the French Goddess of Liberty in place of the head of George Washington. The morals and atheism of the French Revolutionists grew apace. A popular party called the "Gallomaniaca" renounced their belief in Almighty God and joined hands with the French rabble in denouncing everything pertaining to moral law and religion.¹⁰⁶

So popular a movement was bound to affect the weaker Catholics, and we can imagine Father Helbron trying to devise ways and means for counteracting this fell influence. In the height of this frenzy, a plague, the most terrible in the history of Philadelphia, struck the city. In the words of Kirlin:

Whether or not it was a judgment of God on the lawlessness, immorality, and religion that made a scandal of Philadelphia, there broke out in the city a dreadful plague of yellow fever that checked and brought to their senses the disorderly element and averted the political calamity that threatened the nation.¹⁰⁷

So dreadful and revolting was the disease, so revolting and rapid its progress, so generally fatal in its effects that a panic of fear seized the city. Parents forsook their stricken children, husbands abandoned their wives. The city was quarantined, which closed the markets to its exports and thereby added poverty to the unbearable plague. But throughout it all, Father Helbron remained faithful at his post. The records of the interments of Father Peter tell of his untiring activity during these dark days. From August to October, his necrology contains some thirty entries, with such remarks as: "Carried off by a malignant disease," "Died of a malignant fever," etc., but invariably the record opens with the words, "Fortified with all the sacraments of the Church."¹⁰⁸ The plague continued intermittently until 1798, the fatalities during the summer of 1797 reaching twenty-two per cent and in 1798 twenty-four per cent of the population. Father Peter, being a man of an iron constitution, withstood it all, but five priests of Philadelphia fell victims to the dread disease,

¹⁰⁶Kirlin, *op. cit.*, 138.

¹⁰⁷*Ibid.*, 138.

¹⁰⁸Hertkorn, *op. cit.*, 45-46.

among whom was the Bishop Elect, Father Graessl, who died in October, 1793.¹⁰⁹

"While Philadelphia was still shuddering under the dreadful effects of the epidemic of 1793 that had decimated the population, depressed all trade, and cast a gloom over the city, and during the years of the recurring plague that broke out again and again with fearful fatality, the city was destined to suffer from a spiritual plague that disrupted the peace of the Church."¹¹⁰ Everything appears to have gone along well during Father Peter's administration until July, 1796, when there arrived in Philadelphia the Rev. Nepomucene Goetz, former professor and preacher at the Royal Imperial Academy at Wiener-Neustadt. Three days after his arrival, July 28, 1796, he applied to Bishop Carroll for admission into his diocese,

most humbly requesting to be admitted into this diocese, and to be allowed to exercise priestly functions, in Trinity Church, at Philadelphia, solemnly promising—that he would so diligently acquit himself of the sacerdotal duties, which might be committed to him, as to render himself worthy of further favours.¹¹¹

While awaiting his approval, Goetz seems to have won favor among the people with the determined purpose of obtaining the pastorship of Holy Trinity Church from the trustees if it came not from Bishop Carroll. Within less than a month after his arrival he had succeeded in his designs as is evident from the fact that the Board on August 18, 1796, resolved to elect "by the members of the congregation, a chaplain or vicar," on the plea that Father Helbron, though appointed by Bishop Carroll to the pastorship of Holy Trinity, and though having received a salary from the Board of Trustees during the past five years, had never been "elected" as pastor of the congregation. The meeting was held September 4, 1796, and Goetz was elected to assist the pastor. Goetz, however, was not satisfied. He "protested and declared he

¹⁰⁹The other priest-victims of the plague are: Rev. Thomas Keating, who died March 7, 1793. *Researches*, XIV (1897), 28; Rev. F. A. Fleming, who died a few days later than Father Graessl in October, 1793; Rev. Michael Ennis; Rev. Joseph La Grange, who died September 1, 1798; and Rev. John Burke, who died in 1799. Kirlin, *op. cit.*, 145 ff.

¹¹⁰Kirlin, *op. cit.*, 151.

¹¹¹Words of Bishop Carroll. Griffin, "The Reverend Nepomucene Goetz," *Records*, XXIII (1912), 104-105.

did not wish to be assistant to Father Helbron but co-pastor with him with equal rights."¹¹²

On September 28, 1796, the trustees passed twenty-six resolutions "that are models for lay effrontery and ignorance."¹¹³ This may have been a ruse on their part to force Father Helbron to resign, for they knew full well that he would never attach his signature to these. Goetz "signed the resolves without the least hesitation,"¹¹⁴ but Father Helbron stoutly refused to accept them (October 14, 1796). The next day he received the following officious notice of his deposal:

Reverend Sir

Please to take notice that in consequence of a refusal to sign the resolves of a meeting of the congregation of the Religious Society of the German Roman Catholics of the Holy Trinity Church in the city of Philadelphia held the 12th inst. in their schoolhouse, we the Trustees have resolved, that you are dismissed and discharged from this day from all future pastoral services & functions in our church & in our congregation & that we will not pay you any more salary from this day, you are also ordered to give & deliver us up instantly all the keys, vestments, or other movables whatsoever, you have carried out of the church, & are now in possession in your house or elsewhere, should you refuse it we will make use of the civil law.¹¹⁵

To avoid disorder, Father Helbron retired the same day to St. Joseph's Church and there held services for the members of the congregation who remained faithful to him. On November 16, the trustees appointed Father Goetz pastor of Holy Trinity. Bishop Carroll threatened the priest with suspension if he attempted to act on the appointment of the trustees. Goetz did not heed the warning and Carroll withdrew his faculties.

During these scandalous months the Vicar General and Bishop Elect, Father Leonard Neale, had been powerless to bring about peace. His authority and intervention had been resented by the trustees who found themselves reinforced by a second priest, the Rev. William Elling, who had already given Bishop Carroll much

¹¹²*Katholische Volkszeitung* (Baltimore), June 5, 1869.

¹¹³Guilday, *op. cit.*, 650.

¹¹⁴Taken from the Minutes of the Trustees. Griffin, "The Rev. Peter Helbron," *Records*, XXIII (1912), 11.

¹¹⁵Griffin, *op. cit.*, 13.

concern at Lancaster and Goshenhoppen. On December 8, 1796, Father Neale published a *Pastoral to the German Catholics Frequenting Holy Trinity Church in Philadelphia* in the hope of averting the impending schism. But the words of the Pastoral fell on deaf ears. Finally, February 22, 1797, Bishop Carroll himself addressed to the people a *Pastoral Letter to My Beloved Brethren of the Church of the Holy Trinity, Philadelphia*, in which he exhorted them to return to unity and in clearest words explained the doctrine and discipline of the Church and the duties of her faithful children in obeying the Church.¹¹⁶ But again, the words fell on barren soil, and the next day, February 23, he excommunicated both Father Goetz and Father Elling.

The schism was now in full swing, but as is frequently the case in such unlawful movements, the schismatics began quarrelling among themselves, and the trustees dismissed Goetz, July 6, 1797. Elling stepped into his place and continued the schism until February 2, 1802, when he abjured his errors and made his peace with the Bishop. He was then appointed legitimate pastor of Holy Trinity Church, which position he held until October 25, 1806, when he resigned.¹¹⁷

During the first years of the schism, Father Peter Helbron remained at St. Joseph's Church, Philadelphia, taking care of the little parish and probably also of those Germans who refused to join the schism. But seeing that there was no hope of securing his rightful position of pastor of Holy Trinity, he accepted Bishop Carroll's appointment to the parish at Sportsman's Hall, Westmoreland County, Pennsylvania. Carroll had also been having some trouble here with an insubordinate priest, Father Fromm, who had just died that summer in Philadelphia.

IX

CAPUCHIN MISSIONARIES IN WESTERN PENNSYLVANIA

Lambing in his *History of the Catholic Church in the Diocese of Pittsburgh and Allegheny* (New York, 1880) says that no part of western Pennsylvania figures more prominently in the history

¹¹⁶Printed in Guilday, *op. cit.*, 650 ff.

¹¹⁷Father Elling remained in Philadelphia a few years after he had resigned his post. From here he went probably to New Orleans, but returned again to Philadelphia, where he died, April 2, 1811. Guilday, *op. cit.*, 657.

of Catholicism than Westmoreland County and that it was the scene of the first permanent Catholic settlement in the State west of the Alleghenies.¹¹⁸ After the question was settled that this part of the United States belonged to Pennsylvania and not Virginia, (1780-1784), the Catholics of eastern Pennsylvania began to settle in this locality and asked Carroll for a priest.¹¹⁹ However, it was not until 1789 that they received their first resident pastor in the person of the Franciscan, Father Theodore Brouwers, although before that time the erratic Father Causse had been sent or had gone without permission to western Pennsylvania. Father Brouwers had been in the West Indies for some time¹²⁰ and had arrived in the United States not later than July, 1789.¹²¹ He was a priest of some means and while in Philadelphia had bought for church purposes a tract of land at O'Neill's Victory near Greensburg, Pennsylvania. Arriving there in August, 1789, and seeing that the land was unsatisfactory, he purchased another tract in April, 1790, known as Sportsman's Hall, the present site of St. Vincent's Archabbey. But his activities were of short duration and he died October 30, 1790, after having made a will before a notary public, leaving his estate to his successor in office.

Father Francis Rogatus Fromm, a Franciscan Friar, who was pastor at Lancaster, Pennsylvania, hearing of this will, left his church without any approbation of Carroll, journeyed to Sportsman's Hall and arrived there May 2, 1791.¹²² The pioneer Catholics here, having been without a priest since Father Brouwers' death, welcomed him with open arms and immediately elected him pastor. His success with the trustees at Sportsman's Hall encouraged him to try to obtain approval from Bishop Carroll, and he wrote to him August 7, 1791 and asked him to ratify the election of the trustees. At the same time he had his eye on Father Brouwers' will, warning them not to accept any pastor appointed by Father Pellenz, the Vicar General. Carroll naturally could not acknowledge Fromm as pastor after he had disregarded his author-

¹¹⁸*Op. cit.*, 359.

¹¹⁹Fellner, "Trials and Triumphs of Catholic Pioneers in Western Pennsylvania," *Records*, XXXIV (1923), 197.

¹²⁰Huber, *op. cit.*, 143.

¹²¹Father Brouwers stopped with Father Charles Helbron at Holy Trinity during the summer of 1789. *Researches*, XVI (1899), 182.

¹²²Fellner, *op. cit.*, 206.

ity in so flagrant a manner. But Fromm refused to yield, defending his position on various pretences until Carroll finally withdrew his faculties May 13, 1793.¹²³ But still he would not submit, maintaining in his letter of March 9, 1794 that "the territory beyond the Allegheny mountains was not within the jurisdiction of the newly elected Bishop." Finally on August 5, 1795, Carroll issued a formal document to Fromm announcing his suspension from every exercise of his sacred order.

Seeing that nothing could be done by correspondence, the Vicar Apostolic determined to send a priest to that locality to win over the people and to bring Fromm back to obedience. The priest sent by Carroll was no other than the Capuchin, Father Lawrence Sylvester Phelan,¹²⁴ who had been assistant to Father Peter Helbron at Holy Trinity Church in 1793.¹²⁵ After Bishop Carroll had formally suspended Fromm, he appointed Father Phelan pastor of the Westmoreland congregation. Father Phelan arrived at Sportsman's Hall, October 5, 1795. His mission was delicate in the extreme, but he energetically set about his work and three days after his arrival wrote Carroll a long description of the sad state of affairs:

I am, as I find, sent indeed on a very difficult and very dis-

¹²³*Ibid.*, 211.

¹²⁴Only recently has it been discovered that Father Lawrence Sylvester Phelan was a Capuchin. While in England in 1790, Bishop Carroll wrote to Archbishop Troy of Dublin, October 3: "Cardinal Antonelli, in a late letter, recommended me to let your recommendation accompany all priests who go from Ireland to America. In consequence I referred to your Lordship for such recommendation a Mr. Phelan, a Capuchin friar and postulant for our Mission." *Researches*, XIII (1896), 162. This is most probably the Father Phelan who had been a member of the Dublin Community of Capuchins from September 15, 1783 to August 15, 1790 when he was transferred to Cork. From this date no further mention is made of him in the Irish annals. Very likely he went to the United States as he had volunteered. Stanislaus, *op. cit.*, 82. The first mention we find of a Father Phelan here in the United States is in the Holy Trinity Records, November 8, 1793, when he acted as a sponsor at a baptism. Middleton, "Baptismal Registers of Holy Trinity Church of Philadelphia," *Records*, XXI (1910), 71. Father Peter Helbron when entering Father Phelan's name misspelled it consistently. But on May 21, 1794, Phelan signed his own name thus: *Laur. Petr. Phelan*. *Ibid.* His name is found in the Holy Trinity Records for the last time, April 30, 1795. *Records*, XXII (1911), 14. Father Stephen Theodore Badin testifies that Father Phelan had a "talent for speaking." *Records*, XIX (1908), 462. On Sunday afternoons he preached in English at Holy Trinity. *Researches*, V (1888), 199, and being also a fluent French speaker, he took care of the French refugees from France and San Domingo. Kirlin, *op. cit.*, 129.

¹²⁵Guilday, *op. cit.*, 649.

agreeable errand. Fromm's pretensions are better grounded on the laws of the country than what your Reverence imagined. He really got possession from the executors of Mr. Brouwers' will and his possession with the weakness of the form of the will presents more difficulties than can easily be got over . . . I called to see Mr. Fromm and he called here to see me. I took every persuasive step possible to gain him to give up and submit. I thought once I had gained all, but find again that I had gained nothing and that the only condition of his submission is the possession of the plantation.¹²⁶

Fromm proved himself a crafty and unscrupulous antagonist. Evidently to gain public sympathy, he swore that Father Phelan and five Catholics were desirous of his death and that two shots had been fired at him. At the trial he failed miserably and was suspected of having fired the shots himself. Nothing daunted by this untoward turn of events, he continued his fight for the property, going so far as to draw up his last will and testament and appointing as his successor a priest from the diocese of Mainz, thinking that this would strengthen his hold on the property. And evidently wishing to gain the support of non-Catholics in the litigation, he invited them to services and appointed some of them trustees of the congregation.

For a while it appeared that the Church would lose the property of Father Brouwers and Father Phelan was very pessimistic as to the outcome of the impending suit. He wrote frequently to his Bishop during these trying times, keeping him in touch with the developments of the case and at the same time asking his advice as to his mode of procedure against his unscrupulous antagonist. The case was finally brought before the civil courts in June, 1796, but seems not to have been settled. Fromm in the meantime was forced to leave the estate by his creditors in the spring or summer of 1797. The final decision about the legal possession was given in Carroll's favor in December, 1798. Fromm finally journeyed to Philadelphia and died there of yellow fever during the summer of 1799.

Such was the condition of affairs in western Pennsylvania when Bishop Carroll appointed Father Peter Helbron pastor of the Westmoreland congregation. After Fromm had been forced to leave in 1797, Sportsman's Hall was visited occasionally by two priests,

¹²⁶Fellner, *op. cit.*, 225-226.

Father John Dilhet and Father Patrick Lonergan, but neither of them was pastor. Father Sylvester Phelan, it would seem, had resigned after the termination of the lawsuit. Evidently, he felt he was no *persona grata* with those who had upheld Fromm, and thought it best to withdraw completely and give the parish to a priest who had not been involved in the unhappy litigations of the past few years.¹²⁷

Father Helbron came to his new mission, November 17, 1799,¹²⁸ and with his arrival there opens a new chapter in the history of the Church in Western Pennsylvania. With his coming begins the real organization of a permanent parish at Sportsman's Hall and "the establishment of regular missions at Pittsburgh, Brownsville, Sugar Creek, Jacob's Creek and other places."¹²⁹ The few biographical data we have of this indefatigable worker in Western Pennsylvania "stamp him a fit companion for men like Gallitzin, Barth and Brosius." Discomfort and hardship, an unfamiliarity with the English language, even the realization that he was affected with an acute disease, did not deter "him from performing missionary work which even in the light of modern travelling facilities. would seem simply stupendous."¹³⁰ He shared the hardships and

¹²⁷Very little is known of Father Phelan's activities after this date. While trying to save the Sportsman-Hall property for the Church he had evidently volunteered for the Kentucky mission. Father Stephen Theodore Badin, March 4, 1798, in a letter to Bishop Carroll writes: "Reverend Mr. Phelan, as he is endowed with a talent for speaking would find a suitable station, I think, near the seat of Government & in the most flourishing parts of the State. Supposing that both of them [*Father Gallitzin*] would come, there would be still one more place or two to take up." *Records*, XIX (1908), 462. In 1805 he was working in Sugar Creek, Armstrong County, Pa. *Catholic Encyclopedia*, XII, 121. Shea says that when the diocese of Philadelphia was erected in 1808, "Rev. S. V. Phelan had reared a log church at Sugar Creek." *Op. cit.*, III, 209. In 1807 he was "laboring zealously at Chambersburg." *Op. cit.*, II, 451. And in 1810 or the beginning of 1811 he left Sugar Creek and western Pennsylvania. The *Pittsburgh Observer*, October 26, 1916.

The following notice from the *New Monthly Magazine*, December 1, 1824, has recently come to light: "Died—Rev. Lawrence Sylvester Phelan, in St. James' Chapel House, Dublin, aged 72 years. At the age of 14 he entered the Order of Capuchins in France, where he spent 15 years. He labored in America for twenty-one years. He was the only clergyman in Philadelphia when the yellow fever raged there. He returned to Ireland in 1811." Letter to John M. Lenhart, O. M. Cap., April 18, 1930, from Fr. Stanislaus, O. M. Cap., who wrote "An Irish Capuchin Pioneer" in *The Capuchin Annual* (Dublin, 1929).

¹²⁸Middleton, "Goshenhoppen Registers," *Records*, VIII (1897), 334.

¹²⁹The *Pittsburgh Observer*, October 12, 1916.

¹³⁰Ganss, *op. cit.*, 122.

privations of the early settlers. Their humble dwellings were his first chapels. In the burning heat of summer and through the storm and drifted snow of winter he made his way, mile by mile, through the trackless forests that he might bring the grace and the power of Christ to the few scattered and isolated Catholics. We can picture him under the friendly shade of some forest tree or before the large fireplace of a cabin mingling with the sturdy pioneers, who tell him of their hopes and fears while he reverently explains to them the truths of religion and the strength and consolation that lie hid in the crosses of daily life. His was the knowledge that had come from sad experience. Like St. Paul he could enumerate the sufferings and persecutions he had undergone for the sake of his Lord. He was poor, even in debt, but he could have had an easy living, had he proved untrue to his Church and Bishop. "You remember," he wrote to Bishop Carroll, August 7, 1808, "the Rebellion of Holy Trinity Church against your authority which I in my conscience had to defend and, if I had taken part with them against you, as they encouraged me at that time, I would be still their pastor, they paying the house rent, salary and what I want."¹³¹

When Father Helbron arrived at Sportsman's Hall, the accommodations for both the priest and the people were most meagre and afforded poor protection and less comfort. He had but a skeleton of a house for a dwelling, a stuffy room for a church, some seventy-five people for a congregation, and over them all there hung that murky cloud of recent schism. He was the representative of that Bishop whom some of them had recently refused to recognize, and his duty was to bring unity into their disorganized ranks. With his characteristic energy he immediately set about his work by erecting a small chapel which was finished and ready for dedication about a year after his arrival at Sportsman's Hall. On January 30, 1801, he wrote from Greensburg: "My little chappel which I built here is yet (already) finished. I blessed them (it) in the name of Jesus and entitled them (it) the chappel of the Holy Cross. I intend next spring to repair the other at Greensburg."¹³²

The chapel was a structure twenty-six by twenty-eight feet,

¹³¹Fellner, *op. cit.*, 329.

¹³²*Ibid.*, 294.

and served the needs of the people for about ten years. In 1809 it was decided to erect a larger church, twenty-six by forty feet on the spot designated by the founder of the parish, Father Theodore Brouwers.¹³³ The difficulties in building encountered by these pioneers can be appreciated by the fact that one of the parishioners had to make the long and tedious journey beyond the Alleghenies as far as Carlisle, in order to buy nails for the church they were building. The church was finished in 1810.

While Father Helbron was attending the Westmoreland congregation he did not neglect to look after the spiritual needs of the Catholics that resided in other parts of the country west of the Allegheny Mountains. He visited the Catholics of at least seven counties before he received any assistance in the form of a fellow-missioner. These counties formed a semicircle with the western slope of the Allegheny Mountains as a diameter, namely, Westmoreland, Fayette, Washington, Greene, Allegheny, Butler and Armstrong Counties. How much farther north he travelled in his zeal for souls can only be surmised from an expression in one of his letters to Bishop Carroll, "As far as the lake," and from a tradition that he went as far as Lake Erie. Within this area he established stations or erected mission churches, four of which owe their origin to his zeal or at least to his earnest cooperation.¹³⁴ The missions he established or assisted in establishing were in Sportsman's Hall, Pittsburgh, Brownsville and Buffalo Creek.¹³⁵

But age was beginning to tell on Father Helbron. When Father Theodore Badin passed through Pittsburgh on his way to Kentucky in 1807, he wrote of Father Helbron: "I do sincerely respect him; but he is rather old, too old and unwieldy to do (in addition to his several congregations of Westmoreland County)

¹³³Bridge, "The Rev. Peter Helbron, O. M. Cap.," *St. Vincent College Journal* (Beatty, Pa.), XXV (1916), 596.

¹³⁴Fellner, "Father Peter Helbron's Baptismal Register at Sportsman's Hall, Penna.," *Records*, XXVI (1915), 371.

¹³⁵*Ibid.*, 253. Father Helbron's baptismal records and his letters give us an idea of his apostolic work in western Pennsylvania. Thus, in October, 1803, he baptized eighteen persons at Slippery Rock and during the same month thirty-nine at Buffalo Creek. In September and October, 1805, his register contains eighty-four baptisms from the same district, and during the month of October, 1812, he entered fifteen in one day. On October 22, 1806, he wrote to Bishop Carroll: "I baptized in one journey 120 children." *Ibid.*, 372-374.

the distant and extensive business which is to be done in the counties of Fayette, Washington Etc. and in Virginia."¹³⁶

Father Helbron was then about seventy years of age, having been more than sixty years of age¹³⁷ when he was appointed, in 1799, to share with Father Gallitzin the immense districts now forming the dioceses of Pittsburgh and Erie. It was probably his intimate friendship with Father Gallitzin that gave him solace in his trials and helped bear him up during his labors in the missions of western Pennsylvania. The two priests would exchange visits, prolonging them to days and even weeks. Father Gallitzin found in Father Helbron one of his most trusted friends and the Loretto rectory contained a room that was designated as Father Helbron's room.

When the young prince-priest was the victim of scandalous gossip in 1802, it was his friend, Father Helbron, who cleared him of suspicion, after he had been appointed by Bishop Carroll to investigate the truth of the charges.¹³⁸ At the same time, Sportsman's Hall, or as Father Helbron had named it, Clearspring,¹³⁹ often found the two priests together making plans for the progress of Catholicism in that locality. This is especially evident from a letter of Father Helbron, dated Philadelphia, November 22, 1806, in which he asked for faculties "to lay the corner-stone for the Pittsburgh Church by the assistance of Mr. Schmidt [an alias used by Father Gallitzin at the time] in Clearfield." This was the old St. Patrick's Church, the first Catholic Church in Pittsburgh, which stood near the entrance of the present Pennsylvania Station.¹⁴⁰ In a letter, dated Bardstown, January 7, 1808, Father Badin writes: "The chapel at Pittsburgh is under roof. I officiated there on the 20th Xber and found 30 Catholic families in the town alone who would have obligated themselves in writing for the maintenance of a priest, if their church were finished and debts paid."¹⁴¹

Thus Father Helbron worked for some fifteen years among the

¹³⁶Fellner, "Trials and Triumphs," etc., *Records*, XXXIV (1923), 326.

¹³⁷Brownson, *Life of Demetrius Augustine Gallitzin* (New York, 1873), 333.

¹³⁸Fellner, *op. cit.*, 298-302.

¹³⁹Clearspring was a literal translation of Helbron (Heller Brunnen), *Records*, XXVI (1915), 254.

¹⁴⁰The Pittsburgh *Observer*, April 20, 1916.

¹⁴¹Fellner, *op. cit.*, 327.

Catholics of Western Pennsylvania. His life was that of a poor missionary, but his heart and soul were in his work and he preferred the comparative peace of Western Pennsylvania to the probable trustee troubles of Philadelphia. Frequently he had journeyed to Philadelphia during these fifteen years, for it was from Philadelphia he received some of the supplies for his western mission. His friends there remembered him and his work, and in 1804 the German trustees of Holy Trinity requested him to accept again the pastorate of their church, but he refused, preferring to remain in Sportsman's Hall.¹⁴² But it would seem that he was nevertheless elected to the pastorate of Holy Trinity in 1812, if we are to believe the diary of Father Patrick Kenny, who at the time had charge of the English-speaking Catholics of Holy Trinity: "May 17, 1812. Rantzau dismissed from H. Tr. Ch. Mr. Helbron selected to succeed him."¹⁴³ However, he remained in western Pennsylvania. No doubt he felt that his days were drawing to a close and he preferred dying in the parish to which he had devoted so many years of his life. Bishop Egan after the visitation of his vast diocese in 1811, wrote to Archbishop Carroll, October 8, of the same year: "The Rev. Mr. Helbron's advanced age renders it necessary to provide for his assistance."¹⁴⁴ Father Helbron was then in his seventy-third year.

About this time a tumor developed in his neck which baffled the local physicians. His congregation, fearing to lose him, raised a subscription to enable him to go to Philadelphia to seek more expert treatment. He travelled to Philadelphia, had the tumor removed, but the operation was not attended by the expectant results. On his return trip his condition became so serious that at Carlisle, Pennsylvania, he was forced to stop at the house of Thomas Hagan, a Catholic, where he died shortly after, April 24, 1816. He was buried in a little plot of ground that adjoined the old St. Patrick's Church, Carlisle. Later when an annex was built, and in 1893 when the new church was built, his grave was left undisturbed, the new church having been built over his tomb.¹⁴⁵

¹⁴²*Ibid.*, 311.

¹⁴³Griffin, "The Church of Holy Trinity," *Records*, XXIII (1912), 259.

¹⁴⁴Griffin, *History of the Rt. Rev. Michael Egan* (Phila., 1893), 57.

¹⁴⁵Ganss, *op. cit.*, 128-131.

X

PIONEERING IN ST. LOUIS

The same year that Father Helbron died in Pennsylvania, there left Kentucky another Capuchin, Father Thomas Flynn (O'Flynn), who in 1805 had been with Father Helbron in Pennsylvania. Father Flynn, it would seem, belonged to that rather large number of missionary priests in the United States at his time, who can be classified under the generic term, itinerant. Father Helbron in a letter to Bishop Carroll, November 1, 1805, gives a succinct estimate of Father Flynn's character: "Concerning Mr. Flinn . . . 'est vir nullius resolutionis' "¹⁴⁶ and in a letter written a year later, November 26, 1806, he writes of Father Flynn: "I got a letter from him last August, he has notion to come back again, but I think him so much changeable and not fit for this country."¹⁴⁷

Father Thomas Flynn (in religion, Father Barnabas) was born in Dublin, June 1, 1753, and after his reception into the Order, made his profession at Bar-sur-Aube, July 24, 1773, one year after his fellow Religious, Father Charles Whelan. When the Capuchins were dispersed in France at the Revolution, Father Flynn set out for America in 1792.¹⁴⁸ In 1796 we find him pastor at Fort Stanwix, New York, a parish of seventy Catholic families. In 1804 he was stationed at Albany, and between Albany and Fort Stanwix (near Rome, in the present Diocese of Syracuse) he had charge of four hundred families.¹⁴⁹ Some time during the summer of 1804, Father Flynn left his eastern charge and set out for Western Pennsylvania, as we see from a petition for a priest sent to Carroll, November 26, 1804, by a group of Catholics in Butler County, Pennsylvania: "We are well assured no other station in America is more in need than we

¹⁴⁶Fellner, *op. cit.*, 312.

¹⁴⁷*Ibid.*, 315.

¹⁴⁸Stanislaus, *op. cit.*, 83.

¹⁴⁹Corrigan, "Register of the Clergy Laboring in New York," *Historical Records and Studies*, I (1899), 202-203. A Father Flinn, probably the Capuchin Flynn, signed his name in the baptismal record of St. Augustine's Church, Philadelphia, April 3, 1804. *Records*, I (1884-1886), 361. And a few months later Father Carr in a letter to Carroll, wrote: In Albany "I there met the Rev. Mr. Flinn who had been induced to visit that town by the prospect of establishing a School, in which I am of the opinion he will not succeed." *Researches*, VII (1890), 39.

at present. Now as the Revd. Mr. Flinn resides with Mr. Hilbrun (and wishes to be stationed here) we would request your Lordship will be pleased to order him for us."¹⁵⁰

But Father Flynn was not satisfied with Pennsylvania. He stayed only five weeks with Father Helbron when he left and "went down the River Ohio to the monks of La Trappe."¹⁵¹ However, Father Helbron's surmised was wrong. Not to the Trappists did Father Flynn go, but to St. Louis, where he arrived early in November, 1806.

Catholicism was fairly well established in St. Louis when Father Flynn arrived in 1806. The parish here had a canonical pastor since 1776. When St. Louis was founded in 1764, there was only one priest in whole Upper Louisiana, the aged Recollect, Father Luke Collet, the Jesuits having been banished the year before. Two years later, Father Meurin, one of the Jesuits still tolerated in the country, came to St. Louis, and as the pioneer priest of the colony, built in 1770 the first small log church. The first priest to reside in St. Louis was Father Valentine, a Spanish Capuchin of New Orleans. Although in official acts, Father Valentine styles himself "Priest of the Parish of St. Louis and its dependencies," he cannot be called the first pastor of St. Louis, for at that time St. Louis was no parish in the canonical sense.¹⁵² He remained in St. Louis from May, 1772, to June, 1775. During his stay here he used the little log church built by Father Meurin, but he finally prevailed upon Governor Piernas to build a new church more in keeping with the growing importance and dignity of St. Louis. However, before the church was finished in May, 1776, Father Valentine had left St. Louis and returned to New Orleans.

Father Valentine was followed by another Capuchin, Father Bernard de Limpach, who holds the distinction of being the first canonical pastor of St. Louis. The official act of his appointment, signed by Father Dagobert, the Superior of the Capuchin Mission of New Orleans, was issued February 18, 1776. No time was lost in the installation of the new pastor. On Sunday

¹⁵⁰Fellner, *op. cit.*, 309-311.

¹⁵¹*Ibid.*, 312.

¹⁵²Rothensteiner, *History of the Archdiocese of St. Louis* (St. Louis, 1928), I, 106.

morning, May 18, 1776, in the presence of the congregation and the authorities of the State, he was inducted into office. Father Bernard was a zealous missionary and during the thirteen and a half years of his stay in St. Louis, he saw not only the growth of his own parish, but lived to see it become the proud mother of four daughters: Carondelet, St. Ferdinand or Florissant, St. Charles and Portage des Sioux. In 1787, realizing that the charge of the St. Louis Parish and its dependencies was becoming too much for his failing strength, he requested his Superior at New Orleans to relieve him. His request was granted in 1789.¹⁵³

Meanwhile, Bishop Hubert of Quebec, October 6, 1788, had transferred his authority over the Illinois Country to the Prefect Apostolic of Baltimore and henceforth the appointment of the pastors of St. Louis was to be in his hands. Between 1789, the year of Father Bernard's departure and 1806, the year of Father Flynn's arrival, Carroll had appointed three pastors of the St. Louis Church: the Dominican, Father Ledru (1789-1793), the Benedictine, Dom Pierre Joseph Didier (1793-1799), and the secular priest, Father Pierre Janin.¹⁵⁴

Father Thomas Flynn, "Capuchin of the Order of St. Francis" as he signs himself in the records of Florissant, administered the Parish of St. Louis from December, 1806, till January, 1808. On November 6, 1806, a few days after his arrival in St. Louis, he writes:

I have said Mass in the Church, which is pretty decent, twice; and tomorrow, Sunday the Church-wardens, at the High-Mass are to install me as pastor over the place. The Church has a tolerably good bell, high altar, pulpit and commodious pews. The house for the priest is convenient, but rather out of repair. There is annexed to it a large garden well stocked with fruit trees, barn, stable and other out-offices.

There is to be an assembly of the parishioners within the next few days in order to consider making a provision for my support, which will be paid annually. In short, my dear Friend, for the animal life, it is highly probable, I shall be very well off; and it is only the spiritual that gives me pain. For I shall be sixty miles distant from the clergyman who is

¹⁵³In 1790 Father Bernard was at Iberville, and the following year was appointed pastor at Point Coupee where he died March 27, 1796.

¹⁵⁴*Ibid.*, 210-214.

nearest me. However, I shall endeavor to have the comfort of seeing him as often as possible.¹⁵⁵

The proposed meeting was held a few weeks later, November 23. In the preamble of the contract which was made between Father Flynn and the church wardens and approved by the congregation, it is stated that Father Flynn was sent to St. Louis by Father Maxwell, who at that time was considered the Vicar General of Upper Louisiana. In the contract, Father Flynn bound himself to serve the congregation and the two adjoining missions of St. Ferdinand and St. Charles for the term of one year, beginning December 1, 1806. The parish on its part bound itself to pay him 360 piasters.

It has been stated that Father Flynn had no authority to exercise parochial functions in St. Louis since he was not able to show any dismissorials or faculties. "Yet it must be remembered that Father James Maxwell was considered Vicar General of the district of Upper Louisiana, and it can be presumed, as even, Father Nerinckx presumes, that Father Maxwell did kindly receive his compatriot and consented to his stay in St. Louis."¹⁵⁶

The letter in which Father Nerinckx presumes that Father Flynn had faculties, was written by him to Bishop Carroll, January 1, 1807. In it he alludes to some priests, among them Father Flynn, who were exercising pastoral functions without the jurisdiction of the Vicar Apostolic. In the course of the letter he writes :

With the consent of Rev. Father Badin he (Father Flynn) had preached several sermons and visited a number of missions, but heard only a few confessions. I should judge he had better remain in the Trappist Monastery. From his letters we learn that at St. Louis or at some other place in Louisiana, he introduced himself as pastor, or rather, was introduced by laymen, although to judge more mildly, we must suppose that he had jurisdiction from the Vicar General there. May God grant that this matter have no sad end.¹⁵⁷

Father Helbron's judgment of Father Flynn was correct: "Est vir nullius resolutionis." On January 8, 1808, Father Flynn resigned his pastoral functions at St. Louis and moved on to

¹⁵⁵*Ibid.*, 214-215.

¹⁵⁶*Ibid.*, 215.

¹⁵⁷*Ibid.*, 215-216.

Kentucky,¹⁵⁸ arriving there the same year. Very little is known of his activities in Kentucky, except that he resided chiefly with Father Badin at St. Stephen's Church. He remained in Kentucky eight years, until the fall of 1816, when he left for France, having been recalled by his superiors.¹⁵⁹

With the departure of Father Flynn from Kentucky, the last of the known Capuchins in the Northern United States had left. But there still remained a Capuchin missionary in the recently acquired territory of Louisiana. His life and work, however, do not fall within the scope of this essay, since he belonged to the organized Capuchin mission in Southern Louisiana. As mentioned previously, the French Capuchins at the request of their king took over this Louisiana mission in 1722.¹⁶⁰ When Louisiana was ceded to Spain in 1766, the Spanish Capuchins supplanted the French. Father Antonio Sedella, one of the Spanish missionaries, came to the Louisiana mission, January 1, 1781.¹⁶¹ When the Spanish Capuchins left in 1803, after Louisiana had become United States territory, Father Antonio remained in New

¹⁵⁸Rothensteiner, *op. cit.*, 217, says that after Father Flynn left St. Louis he "wandered on, we know not where." However, it would seem that the Father Flynn of St. Louis is identical with the Father O'Flynn of Kentucky, who according to Spalding, *op. cit.*, 260, arrived in Kentucky in 1808. Although Spalding calls the Father O'Flynn of Kentucky a Franciscan, there is hardly any doubt but that he is a Capuchin. Spalding says that O'Flynn was a native of Ireland and "at an early age he was sent to France where he went through a regular course of studies, and was promoted to the priesthood." This well corresponds with the custom of the Capuchins at the time. Both Fathers Whelan and Nugent had been born in Ireland and had received their education and been ordained in France. The Irish Franciscans at the time sent their candidates for the priesthood to Louvain, Rome, etc. and not to France. *Catholic Encyclopedia*, VI, 290. Again, Spalding says that O'Flynn, when he arrived in Kentucky was "probably fifty years of age." This would tally with the age of Father Flynn of St. Louis who had been born in Dublin in 1753. Moreover, Shea, *op. cit.*, III, 270, says that in 1808 a "Capuchin Father M. O'Flynn" was among those who welcomed Bishop Flaget to Kentucky. And Bishop Flaget himself in his *Report of the Diocese of Bardstown to Pius VII*, April 10, 1815, says: "I have also here a Capuchin Father, an Irishman by birth, very infirm in mind and body, and therefore hardly serviceable." *Catholic Historical Review*, I (1915), 312.

¹⁵⁹Spalding, *op. cit.*, 262. On his way home Father Flynn stopped with Father Patrick Kenny, October 2, 1818, who at that date was at Coffee Run, Delaware. From here, according to the diary of Father Kenny, Father Flynn was to proceed to Philadelphia, New York and then to Rome. *Records*, IX (1888), 73.

¹⁶⁰Vogel, *op. cit.*

¹⁶¹Antonio de Castillo, *La Luisiana Española Y El Padre Sedella* (San Juan, 1929), 18.

Orleans and worked there as a missionary until his death, January 19, 1829.

With the death of Father Peter Helbron in 1816 and the departure of Father Thomas Flynn from Kentucky in the same year, there is a sudden break in the line of Capuchin missionaries to the United States until the advent of Father Ambrose Buchmeyer (July, 1844), who became pastor of St. Nicholas' Church, New York City. The reason of this sudden break is not far to seek. The disastrous Revolution had driven the Capuchins from France, and the secularization laws of Emperor Joseph had exterminated them in Prussia and partially suppressed them in Bavaria and Austria.

Father Buchmeyer's coming in 1844 was the beginning of renewed Capuchin activity in the United States. Individual Capuchin missionaries followed in his path, and one of them, Father Fabian Bermadinger in the early fifties tried to establish the Order in this country, but his efforts did not meet with success. The first permanent establishment of the Order was to be made in 1857 by two secular priests, Fathers Haas and Frey. In the words of Herbermann:

The foundation of the Province of Calvary, Wisconsin, [St. Joseph's Province] was in itself a remarkable deed, perhaps unprecedented in the history of the Catholic Church. Religious Orders have been founded and have been transplanted to new countries again and again, but the founders or the transplanters were members of the community . . . Here the Capuchin Order was established, not by Capuchins, not by any variety of Franciscans, not by Religious of whatsoever title, but by two secular priests, Swiss parish priests, who felt themselves called to lay the foundation of a new province of the Capuchins in a far distant country, with but little aid and encouragement from the official heads of the Order, and who had no money or resources, except only the sincere conviction that they were doing the will of God . . .¹⁶²

The establishment of a second province, the St. Augustine's Province or the Pennsylvania Province, was occasioned by the *Kulturkampf* in Germany. Three friars from the Bavarian Province arrived in America in 1873 and established a Commissariat

¹⁶²*The Province of St. Joseph, etc.* (New York, 1907), 7-8.

in Pittsburgh. Two years later, in 1875, the Westphalian friars founded a Commissariat in Cumberland, Maryland. In 1881, these two Commissariats were united and raised to a Province on August 7, 1882. Since then the Italian, English and Irish Capuchins have also made establishments in this country, which in the course of time may become independent provinces.

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IN THE UNITED STATES
(1784—1884)

BY

DONALD SHEARER, O.M.CAP., PH.D.



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PREFACE

The object of this dissertation is to present to the reader, in chronological form, all papal documents bearing upon the progress of Catholicism in the United States from the beginning of our hierarchical life in 1784 to the Third Plenary Council of Baltimore a century later. These documents are presented in such a manner as to bring out the supreme share of the Roman Pontiffs in founding, developing, directing, and influencing the Church in this country. The work aims to be more than a collection of Papal Bulls and Briefs. By introducing each document with a short historical summary and a digest of its content and by means of essential references explanatory of the printed texts, the reader is given a concise account of the American Church during the period, from the sole viewpoint of the papacy's contribution to its growth and development.

The period treated covers the pontificates of seven popes: from Pius VI in 1784, to the Third Plenary Council of Baltimore convened by order of Pope Leo XIII in 1884. The dissertation includes only papal documents; namely, pontifical Briefs and Bulls issued by the Roman Pontiffs themselves, and letters sent by the Roman Congregations acting for and in the name of the popes. All the documents included in this work, have a direct bearing upon the American Church or were addressed specifically to the Church in this country. The only exception is Gregory XVI's Encyclical Letter on Slavery (1839), issued to the Church at large; this document is given because of its important bearing upon the Abolition movement in the United States prior to the Civil War. Papal documents establishing the different religious communities in the United States have not been included in the dissertation since they were not directed to the American Church as such. The papal Bulls establishing the different Benedictine abbeys in the United States will be found in Raphael de Martinis, *Iuris Pontificii de Propaganda Fide* (Rome, 1888-1897), while papal documents directed to other religious communities will be found in the *Analecta* or *Bullarium* of the respective Order.

A number of the pontifical documents contained in the dissertation have been made use of by historians of the American Church. It could not have been otherwise since the influence of the papacy upon the Church is so permeating and far-reaching that no part of ecclesiastical history can properly be written without taking into account the action of the Holy See. The first and foremost of these writers is John Gilmary Shea, who, in his classic four-volume *History of the Catholic Church in the United States* (New York, 1886-1892), was generously supplied by the Roman authorities with transcripts of official documents for his work. Historical students, such as Rev. Thomas Hughes, S. J., Rev. Dr. Peter Guilday, and others, have followed in Shea's footsteps and have added to our knowledge of American Catholic life by their archival researches here and abroad. Up to the present, however, no one has attempted to publish all the papal documents which were directed to the Church in the United States; nor has any single writer attempted a consecutive narrative of our American Church from the distinctive standpoint of this archival material up to the date which ends this study.

The importance of having easy access to papal documents in writing the history of the Church was realized from the beginning of modern historiography. Philip Jaffé's monumental work, *Regesta Pontificum Romanorum ab condita ecclesia ad annum post Christum natum 1198* (Leipzig), was published in 1881. The complement to this work was A. Potthast's *Regesta Pontificum Romanorum ab anno 1198 ad annum 1304* (Berlin, 1874). At the present time, the *Bibliothèque des Ecoles Françaises d'Athènes et de Rome* is publishing the *Regesta* of the popes of the thirteenth and fourteenth centuries. Some of the works published thus far are the *Registres de Nicolas IV* (E. Langlois), *Registres d'Honorius IV* (M. Prou), *Benoit XII Lettres Communes* (J. M. Vidal), *Registre de Benoit XI* (C. Grandjean), and many others. Besides these general source-collections, there are others whose scope is restricted to papal documents bearing upon one particular country. Such are, for example, the *Italia Pontificia ante annum 1198* (Berlin, 1907) by Paul Kehr, and the *Germania Pontificia ante annum 1198* (Berlin, 1910) by Albert Brackman, both of whom continued the work of Jaffé, on a different plan. A

similar service was rendered to Poland by J. F. Novák in his two volumes entitled *Monumenta Poloniae Vaticana* (Prague, 1907); the documentary material covers the years from 1207 to 1374. These scholarly works deal solely with the medieval papacy. Outside of the *Iuris Pontificii* of De Martinis and the other collections mentioned in the bibliography, few collections of papal documents for the modern and contemporary period have been printed. The only source-collection of merit for the history of papal relations with the new world is the work of F. J. Hernaez, S. J., *Colección de Bulas, Breves y otros Documentos relativos a la Iglesia de America y Filipinas* (2 vols., Brussels, 1878). It is hoped that the present volume will serve the Church in the United States in a similar way.

The writer wishes to express his sincere gratitude to his major Professor, the Rev. Doctor Peter Guilday, at whose suggestion and under whose guidance the present dissertation was undertaken and completed. Doctor Leo Stock and Doctor Martin McGuire have read the dissertation in manuscript and their many constructive criticisms have been invaluable. To his Superiors in the Capuchin Order, and, in particular, to the Very Rev. Thomas Aquinas Petrie, O. M. Cap., Minister Provincial, and to the Very Rev. Claude Vogel, O. M. Cap., Ph. D., the author takes this opportunity to offer his profound thanks. The Very Rev. John M. Lenhart, O. M. Cap., offered many valuable suggestions to the writer and the following Friars of the Capuchin College, Brookland, D. C., were very generous in giving their time and assistance in reading proof: The Rev. Lambert Brookman, the Rev. Torrence Moffat, the Rev. Alexis Urban, and the Rev. Ernest Horning. The author is likewise deeply indebted to the Rev. Cuthbert Gumbinger, O. M. Cap., Rome, Italy, the Rev. Alexis Gore, O. M. Cap., Yonkers, New York, the Very Rev. Victor F. O'Daniel, O. P., S. T. M., Litt. D., and the Chancery Officials of the Diocese of Manchester, Davenport, Chicago, and Kansas City.

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ABBREVIATIONS

<i>AHR</i>	<i>American Historical Review</i> (New York).
<i>BCPF</i>	<i>Bullarium Sacrae Congregationis de Propaganda Fide</i> (Rome, 1839-1841).
<i>BRC</i>	<i>Bullarii Romani Continuatio</i> (Rome, 1835-1857).
<i>CBH</i>	<i>Concilia Provincialia Baltimori habita ab anno 1829 usque ad annum 1849</i> (Baltimore, 1851).
<i>CHR</i>	<i>Catholic Historical Review</i> (Washington, D. C.).
<i>Collectanea</i>	<i>Collectanea Sacrae Congregationis de Propaganda Fide</i> (Rome, 1907).
<i>Coll. Lac.</i>	<i>Acta et Decreta Sacrorum Conciliorum Recentiorum, Col- lectio Lacensis</i> (Freiburg im Breisgau, 1870-1890).
<i>CPB I</i>	<i>Concilium Plenarium Totius Americae Septentrionalis Foederatae, Baltimori habitum anno 1852</i> (Baltimore, 1853).
<i>CPB II</i>	<i>Concilii Plenarii Baltimorensis II., Acta et Decreta</i> (Balti- more, 1894).
<i>CPB III</i>	<i>Acta et Decreta Concilii Plenarii Baltimorensis Tertii</i> (Baltimore, 1886).
De Martinis	<i>Iuris Pontificii de Propaganda Fide, Pars prima</i> (Rome, 1888-1897).
Hernaes	<i>Colección de Bulas, Breves y otros Documentos etc.</i> (Brussels, 1879).
Mansi	<i>Sacrorum Conciliorum nova et amplissima Collectio</i> (Paris, 1903; Leipzig, 1927).
<i>Pii IX Acta</i>	<i>Pii IX Pontificis Maximi Acta</i> (Rome).
<i>Records</i>	<i>Records of the American Catholic Historical Society</i> (Philadelphia).
Shea I	<i>Catholic Church in Colonial Days</i> (New York, 1886).
Shea II	<i>Life and Times of Archbishop Carroll</i> (New York, 1888).
Shea III	<i>Catholic Church in the United States, 1808-1843</i> (New York, 1890).
Shea IV	<i>Catholic Church in the United States, 1844-1866</i> (New York, 1892).

HISTORICAL INTRODUCTION

The history of Catholic progress in the United States during the century from 1784 to 1884 is one of the most phenomenal chapters in the annals of the Church.

At the close of the Revolutionary War, the handful of Catholics in the new Republic numbered 22,000, scattered mainly throughout Maryland and Pennsylvania. They either had clergymen residing in their neighbourhood or were occasionally visited by them, but, as Bishop Carroll reported, they were "so dispersed at such distances and the clergymen were so few that many Catholic families could not hear Mass, or receive any instruction so often as once in a month."¹ If the band of Catholics was small numerically, they dwindled to nothing socially and politically. Openly to profess the Faith was, in most cases, equivalent to being cut off from the rest of society. At the same time, the cry of "No Popery" was dinned into the ears of every Catholic man, woman and child, and although they had the cold comfort of being permitted to live in certain provinces without physical molestation, they were, nevertheless, distrusted as foreigners and laid under heavy disabilities. The result was that "Catholics, excluded from lucrative positions, harassed and discouraged became, in general, poor and dejected."² Considering their insignificant number, their political and social status, their scanty opportunity for religious instruction and Catholic education, and the paucity of priests, "it is surprising that there remained in Maryland, even so much as there was, of true religion."³

The first direct relations between the Church in the United States and the Holy See occurred in 1784 with the appointment of John Carroll as Prefect-Apostolic. Five years later, Pope Pius VI created the first episcopal See in the new Republic. The growth of the Church in America during the one hundred years that fol-

¹ This report on the state of Catholicism is printed in the *Metropolitan; or Catholic Monthly Magazine*, I (1830), 90-93; 152-155. It is said to have been written by Bishop Carroll in 1790. The passage quoted is taken from Shea II, 49.

² *Ibid.*, 48.

³ *Ibid.*, 49.

lowed was so great that the Catholic population of 22,000 in 1784 had increased to 7,000,000 in 1884. The thirty priests who ministered to the missions in Maryland and Pennsylvania during Colonial days were replaced by over 7,000 members of the secular and regular clergy, while the Third Plenary Council of Baltimore (1884) numbered among its members one Cardinal (McCloskey), eleven archbishops,⁴ fifty-eight bishops, six mitred abbots, and thirty-five superiors of religious communities.

It would be impossible to state, in definite terms, just how far the papacy was responsible for this exceptionally flourishing condition of the Church in the United States. At the same time, it is not stating the case too strongly to say that the unparalleled development of the Church during the period would not have been possible without the supervision and direction of the Roman Pontiffs. For the underlying principle of all Catholic unity and growth is the dictum *Ubi Petrus, ibi et ecclesia*. And the Mother Church in Rome appointed bishops, created episcopal and metropolitan Sees, supervised, directed, admonished, and gave words of praise and encouragement to the nascent and growing Church in America. To use the expression of De Maistre, the "*real presence* of the Sovereign Pontiff" was felt in all parts of the nation. It was found everywhere, it permeated everything, it saw everything, as on all sides it was seen. Finally, the papal briefs and bulls addressed to the Church here were of such a nature that they may justly be considered as the Holy See's *Book of Foundations* in the United States, for the Roman Pontiffs have not merely influenced the American Church, they have to a great extent written its history.

It would be expressing a commonplace to say that the pope does not personally direct the hundreds of different provinces and dioceses throughout the world. Such a task would be physically impossible. And from the very beginning of the Church, the Roman Pontiffs made use of a number of the clergy to help and to advise

⁴ This does not include the three titular Archbishops of Petra (Michael Corrigan), Anazanba (John B. Salpointe), and Cabasa (Patrick Riordan). Corrigan was Coadjutor of New York, Salpointe, of Santa Fe, and Riordan, of San Francisco. Cf. *CPB* III, xlv. Cardinal McCloskey was unable to attend the Council due to illness.

them in the almost infinitely varied matters that demanded their attention. In the course of centuries, the duties of these counsellors became more defined, and definite *dicasteria* were established. The final development of the Roman Curia as we have it today occurred in the sixteenth and seventeenth centuries with the creation of the Roman Congregations.

Among the various Roman Congregations, the most important, from the viewpoint of the Church in the United States, is the Sacred Congregation de Propaganda Fide, or, to quote its official title the *Sacra Congregatio christiano nomini propagando*. It was this Congregation which governed the Church in America until the year 1908, when the Constitution *Sapienti Consilio* ⁵ of Pius X limited the territorial jurisdiction of the Congregation to those countries in which the hierarchy was as yet not established.

The founding of the Congregation de Propaganda Fide ⁶ marks a turning point in the history of Catholic missions. Down through the Middle Ages, the missions of the Church depended greatly upon individual initiative. The Roman Curia remained comparatively passive while the Benedictines, Franciscans, and Dominicans worked heroically to push forward the Catholic mission frontier. In the course of time, better missionary methods were introduced and attempts at organization became more apparent and successful. At the beginning of the seventeenth century, the missions of the Church had been spread practically throughout all parts of the known world. If the labors of the many missionaries in the field were to be lasting, and if the missionary strength of the different religious Orders were to be properly distributed, it was evident that Rome would have to take the reins and establish some sort of unifying organization.

The nucleus of what was later to be the Congregation de Propaganda Fide was formed by Gregory XIII (1572-1585) who established a commission of three Cardinals (Caraffa, de Medici, and Sanctorio) to safeguard the faith among Catholics in the Orient. Under Clement VIII (d. 1605), Gregory's successor, the Cardinals held weekly meetings at the house of Cardinal Sanctorio and made

⁵ Cf. Ojetti, B., *De Romana Curia* (Rome, 1910), ix-xxii.

⁶ Cf. Griffin, "The Sacred Congregation de Propaganda Fide: its Foundation and Historical Antecedents," in *Records*, XLI (1930), 289-327.

a report to the pope every fifteen days. It was Gregory XV (1621-1623) who, in 1622, created the Congregation as it exists today, by the bull *Inscrutabili*. As constituted by Gregory XV, the Congregation consisted of thirteen cardinals, three prelates and a secretary. A cardinal prefect was placed at the head and all power was centered in him.⁷ The most important office was that of secretary since all matters had to pass through his hands. The more urgent business was referred to the prefect, who again could refer the matter directly to the pope. Only in exceptional cases and when necessary were certain things referred to the entire Congregation. The cardinals were to meet once a month before the pope and, at least, twice a month at the home of the oldest cardinal among them. Their duties, as described by Gregory, were as follows: “. . . omniaque et singula negotia, ad fidem in universo mundo propagandam pertinentia, cognoscant et tractent. . . . Missionibus omnibus ad praedicandum et docendum evangelium et catholicam doctrinam superintendant, ministros necessarios constituent et mutant.”⁸ The jurisdiction of the Congregation was practically unbounded since it held exclusive competency in all matters pertaining to missionary countries and was such that no other Congregation had the right to interfere in any case whatsoever. The only exception to this general jurisdiction were matters pertaining to the Sacred Penitentiary. As Ojetti remarks,⁹ it was a common saying that Propaganda *omnes alias Congregationes in ventre habere*. It is to be noted, likewise, that matters pertaining to other *dicasteria* were usually referred to them and were solved gratis.

Between the years 1622 and 1634, the New World was an open field for the activity of Propaganda and the Congregation endeavoured to establish missions there. Nevertheless, the Utopian dreams of the first Secretary, Ingoli, and the Carmelite, Simon Stock,¹⁰ never materialized.

⁷ Whence the name *il papa rosso*.

⁸ Constitution, *Inscrutabili* in De Martinis, I, 1-3.

⁹ *Op. cit.*, 114.

¹⁰ Simon Stock was born at Plombley, Lincolnshire. Ordained in 1610, he entered the Carmelite Order in 1612, proceeded to London in 1615, where he died, August 15, 1652. His Superiors refused to have anything to do

In the *Atti* of June 21, 1625, reference is made to a letter of Simon Stock in which it is stated that the King of England had passed an edict for the purpose of spreading Calvinism in Virginia, the Bermudas, New England, and Nova Scotia, "and that it was therefore, necessary for the Sacred Congregation to send a mission to those parts to safeguard the salvation of the Philippines, China and East India lest they be wholly corrupted, for it is easy to pass from North America to the Philippines, China and East India."¹¹ The establishment of a mission in the Colonies was to be suggested to the Ministers General of the Dominicans, the Franciscans, the Augustinians, and the Jesuits, but nothing came of it. Four months later, on November 17, 1625, the matter was again taken up by Propaganda, but with the same results.¹² A letter from Simon Stock to Propaganda, dated London, April 22, 1626, speaks of the impossibility of his proceeding alone to the Plymouth Colony, as the Sacred Congregation had requested.¹³

The question regarding the Plymouth Colony was again brought to the attention of Propaganda on July 9, 1630, and on July 20, a letter was sent to the Nuncio at Brussels asking him to obtain information concerning the matter. The Nuncio answered on September 21, 1630, and on the basis of this letter Propaganda suggested that "Catholic missionaries should be sent into the New Land as soon as possible to impede the progress of the Puritans, and minister to the Catholic settlers."¹⁴ French and English Capuchins were to be sent to the New England Colony and Pere Joseph of Paris was to be the Prefect of the Mission. Propaganda, on February 3, 1631, commissioned the Procurator General of the Capuchin Order to see to it "that the Provincial of the Parisian Capuchins establish as soon as possible the said mission, in case that Pere Joseph who was first charged with this mission be absent

with his wild plans; he wanted to found a province of Carmelite Friars in England. Cf. Hughes, *History of the Jesuits in North America*, 181.

¹¹ Corrigan, R., *Die Propaganda-Kongregation und ihre Taetigkeit in Nord-Amerika* (Munich, 1928), 87, 88.

¹² *Ibid.*, 88.

¹³ *Prop. Archives, Scritture Ant.*, vol. 101, f. 14, translated in "An Important Chapter in American Church History," by John Lenhart, O.M.Cap., *CHR*, VIII, 501.

¹⁴ *Prop. Archives, Atti*, 1630, f. 99 and 164, in *CHR*, VIII, 508 f.

from Paris.”¹⁵ Whether Capuchins were sent to New England or not, is a question that, until now, has not been solved.

In the session of April 4, 1634, the Cardinals of the Propaganda considered the petition of the Agent for the English Clergy to found a mission of secular priests in the new colony of Maryland.¹⁶ But before the decree of foundation was issued, the colonists destined for Maryland had arrived. They were accompanied by two Jesuit Fathers and two lay-brothers. The correspondence between the English Provincial and the General of the Jesuits reveals the source whence the Jesuits derived their faculties. In a *Responsum* of December (?), 1633, the General granted the missionaries destined for Maryland the same faculties which the Jesuit missionaries enjoyed in India.¹⁷ The foundation of a mission for the secular clergy was dropped, since Propaganda deemed it inopportune.

The Archives of the Congregation contain three references to Maryland between July 2, 1641 and February 14, 1642. The first document is a petition of “Englishmen in Maryland, an island near North America, for a mission of secular priests with faculties for the Indies . . .”¹⁸ The Cardinals decreed that the Nuncio at Brussels should be asked for information concerning the mission in Maryland and whether there were English priests who would be willing to go there as missionaries. The Nuncio at Brussels, Rossetti, sent Propaganda a *relatio* on Maryland and the names of fourteen priests “cum quibus, vel parte eorum, missio fieri poterit in praedictam insulam.”¹⁹ The third document is a decree of the Congregation in which Rossetti is to be requested for information regarding the appointment of a “Praefectum missionis pte [praedictae] constituendum, socios ei adjungendos ac modum expediendi hmoi [hujusmodi] missionis, ut possint litterae patentes missionis cum facultatibus necessariis expediri et Praefectum et mis-

¹⁵ *Prop. Archives, Lettere*, vol. 391, f. 12; *Atti*, vol. vii, part 2, f. 18, no. 22, in *CHR*, VIII, 511.

¹⁶ *Prop. Archives, Atti*, f. 45, in Corrigan, *op. cit.*, 99 note.

¹⁷ Corrigan, *op. cit.*, 100, 101.

¹⁸ *Prop. Archives, Atti*, July 2, 1641, f. 373, in Corrigan, *op. cit.*, 102, note.

¹⁹ *Ibid.*, November 12, 1641, f. 480, *loco cit.*, 102, 103.

sionarios ad p-tam Marilandiam destinari.”²⁰ These negotiations were the result of Lord Baltimore’s disagreement with the Jesuits who opposed his endeavours to establish a State-controlled Church. It is to be noted that the petition makes no mention of the Jesuit missionaries who were doing work in Maryland. Secondly, the very idea of having so large a number of priests to take care of two hundred colonists was absurd.

The *relatio* of Rossetti gave an exact account of the mission in Maryland during the preceeding seven or eight years but the original was never seen by any of the Cardinals. A summarized report was read to them, with the result that they took measures to launch the mission. Before this was possible, Barberini, Cardinal Protector of England, intervened. The reason for the intervention was a memorial sent to the Holy Office by the English Provincial of the Jesuits, in which the true conditions existing in Maryland were given. The writer petitioned that the faculties destined for the new missionaries be withheld until the Holy See should decide what was to be done in the matter. This ended Propaganda’s projected mission to Maryland.

The history of Propaganda in the Colonies for the last half of the century is told in a few words. In the session of June 3, 1647, the Congregation considered the petition of a certain Capuchin in Brussels who proposed the foundation of a mission in “Nova Batavia in America Septentrionali tam (a) Catholicis quam Hæreticis occupata.”²¹ Again, on November 21, 1650, the Provincial of the Capuchins in Paris conceived the plan of founding a mission in “New England, called Virginia” and asked Propaganda for faculties to send six Fathers to convert the heathen.²² This request was made at the instance of Queen Henrietta Maria of England. The petition was granted by the Congregation with the proviso that the missionaries were found suitable by the Nuncio at Paris.²³ The Congregation also granted the missionaries per-

²⁰ *Ibid.*, February 14, 1642, f. 33, *ibid.*, 103.

²¹ *Prop. Archives, Atti*, vol. 17, f. 411 in *CHR*, VIII, 520. The Capuchin, Seraphin Ruffini, was requested by the Congregation to give a report on conditions in New Netherland in order to justify sending a missionary there.

²² *Prop. Archives, Lettere Antiche*, vol. 260, f. 378, *ibid.*, 521.

²³ *Prop. Archives, Atti*, vol. 19, f. 330, *ibid.*

mission to wear civil clothes and to handle and spend money.²⁴ What results the mission had, we do not know. The Public Records Office Calendar mentions a certain Capuchin, Alexander Plunkett, who was doing missionary work in Virginia in 1689.²⁵ The Capuchins in Paris made a similar request to Propaganda in 1655 but the petition failed to arouse the interest of the Cardinals. Four years later, in 1659, Propaganda gave the Nuncio at Cologne permission to send a chaplain to care for the "multi mercanti cattolici" there,²⁶ and a similar request was granted in 1662. On May 8, 1673, the Nuncio at Brussels petitioned the Congregation for faculties to be given to those Franciscans who had come to Maryland only to find that they were lacking the necessary faculties.²⁷ The faculties were granted. Finally, on April 27, 1671, Propaganda approved a mission of Capuchins who were destined for "Florida del Norte," a land, which, according to Hughes, "is beyond all our geographical acquirements to ascertain,"²⁸ but which Fr. John Lenhart claims to be what is now known as Hudson Bay.²⁹

For the next hundred years, the Church in the Colonies led a truly hidden life, at least so far as Propaganda was concerned. During this period, the Congregation endeavoured to have the bishop of Quebec administer the Sacrament of Confirmation in the English Colonies and, secondly, the Propaganda finally settled the vexed question regarding jurisdiction in the American mission.

From the very beginning of the Congregation de Propaganda Fide, the matter of jurisdiction was an important one. For the extent of faculties and privileges rested entirely with the Congregation. Every missionary, bishop as well as priest, received delegated authority. Formerly, the exercise of jurisdiction and the conferring of the Sacraments depended upon the superiors of the different religious Orders. This state of affairs was not changed imme-

²⁴ *Ibid.*, 523.

²⁵ Vol. VIII, 52, 157, *ibid.*

²⁶ *Prop. Archives, Atti*, September 23, 1659, f. 141, and October 3, 1662, in Corrigan, *op. cit.*, 110.

²⁷ Corrigan, *op. cit.*, 111.

²⁸ *Op. cit.*, II, 51.

²⁹ *CHR*, VIII, 523.

diately with the advent of Propaganda, and it was some time before the different religious missionaries were brought under direct control of the Congregation.³⁰ The missionaries in the American Colonies were Jesuits, Capuchins and Franciscans. Members of the two latter Orders received their faculties either directly from Propaganda or from the Prefect of the Mission appointed by the Congregation. The Jesuits, and they were the greater number, received their faculties from the English Provincial, who supposedly had received the power to subdelegate from the General of the Order. The question, naturally arises, Did the English Provincial have the right to grant faculties to missionaries going to a mission that was apparently outside his jurisdiction?

A vicar-apostolic was appointed for all England in the year 1685. Presumably, the English Colonies fell under the jurisdiction of the vicar-apostolic. Nevertheless, from the documentary evidence at our disposal, one cannot escape the conclusion that the ecclesiastical superiors in England had no juridic rights over the English Colonies in America, from the year 1634 until 1696. The decree *Alias a particulari*, issued in 1696, endeavoured to bring harmony between the regular and secular clergy in England and if it had been obeyed in the sense the Holy See had meant it, all religious priests would have been subject to the vicar-apostolic in matters pertaining to jurisdiction.³¹ The Jesuits, however, continued to receive their faculties from the provincial superiors. In 1715, a matrimonial case from Maryland, which should logically have been presented to the Vicar-Apostolic of London, was sent to the English Provincial. The Provincial and the Holy See, to whom the matter was referred, were unable apparently to decide where the proper jurisdiction lay and the case was "tabled for want of precedent."³² Eventually, the Vicar-Apostolic of London

³⁰ Corrigan, *op. cit.*, Chapter I, *passim*.

³¹ The important part of the decree approved by Innocent XII is as follows: "Sacra Congregatio. . . . Quoad 2um vero censuit regulares quoscunque, etiam Societatis Jesu . . . tam circa approbationem ad confessiones audiendas, quam circa concernentia curam animarum et sacramentorum administrationem, aliaque munia parochialia, esse subjectos Vicariis Apostolicis, in quorum districtibus eos respective commorari contigerit." De Martinis, II, 156-158.

³² Guilday, *Life and Times of John Carroll* (New York, 1922), 139.

was appealed to and granted the necessary faculties to the American missionary. This is the first instance, so far as is known, of the exercise of jurisdiction by the London Vicar-Apostolic over the Church in the Colonies. This exercise of jurisdiction, however, was unwarranted, since the brief of 1688 which outlined the four Vicariates of England, makes no mention of the American Colonies. As a matter of fact, one of the American missionaries wrote in June, 1715: "It will be hard to find under which Vicar-Apostolic Maryland is. London, too far; Quebec are foreigners."³³ Nevertheless, from this time on, the vicars-apostolic considered themselves as having jurisdiction over the Colonies and the missionaries themselves recognized their supposed juridical rights. On November 20, 1730, Bishop Giffard, the London Vicar-Apostolic actually issued to Father Thorbold in Maryland a compendium of faculties under thirteen heads. The net result was that, according to Hughes, Bishop Giffard "was first installed by common consent and mutual complaisance as the Episcopal authority over Maryland."³⁴ This procedure was contrary to Canon Law, which limited Bishop Giffard's jurisdiction to a certain defined territory that did not include Maryland. Nevertheless, the faculties issued by the bishop to the missionaries in Maryland were not invalid since in this case the general law of the Church supplied jurisdiction.³⁵

Bishop Benjamin Petre succeeded Giffard as Vicar-Apostolic of London in 1734, and in 1741 he received Dr. Challoner as coadjutor. Both men considered Maryland as belonging to their jurisdiction and they mention the American missions as part of the London Vicariate in a report made to Propaganda in 1746. The matter of jurisdiction over the American Colonies came to a head ten years later, when Bishop Challoner sent a report on conditions in the American Colonies to the Agent of the English Clergy at Rome. The report, dated September 14, 1756, contains the following pertinent sentence: "All our settlements in America have

³³ Hughes, "A Maryland Marriage Case," in *American Ecclesiastical Review*, XXII (1902), 521-538.

³⁴ Hughes, *loc. cit.*, 524.

³⁵ Cf. Ayrinhac, *General Legislation in the New Code* (London, 1930), 368 f.

been deemed subject in spirituals to the ecclesiastical Superiors here, and this has been time out of mind, even, I believe, from the time of the Archpriests. I know not the origin of this, nor have ever met with the original grant.”³⁶ Propaganda, to whom this information was forwarded, answered that, as far as it understood the situation, every missionary had received faculties either from the Propaganda itself, or from the Holy Office, or from the Cardinal Protector of England. The consequence of this correspondence was that in 1757, the faculties of the Vicar-Apostolic of London were extended to the American Colonies, and the Sacred Congregation “made good the acts up to that time.”³⁷

Challoner was now the canonically appointed head of the Church in America but his charge “beyond the seas” was of little value to him, and he willingly would have shifted the burden to other shoulders. His plan was to have Propaganda appoint a bishop or vicar-apostolic in the Colonies themselves. In order to move the Congregation to make the appointment, he mentioned repeatedly in his letters to Rome, that the Colonists were entirely deprived of the Sacrament of Confirmation, while he himself was unable to send anyone there to administer the Sacrament due to the distance and expense. Propaganda, however, did not consider the time ripe for American Catholics to have their own bishop or vicar-apostolic and deferred the appointment to the future. It was well that the Congregation did defer the appointment of a vicar-apostolic until after the War of Independence for at the very time American Catholics were living through the worst period of persecution in the eighteenth century. The fear of prelacy of any kind rampant throughout the Colonies at this period and the inbred horror of everything Roman would only have resulted in fresh attacks against all Catholics had Rome placed the American Church directly under its control by the appointment of a vicar-apostolic. The imprudence of sending a Catholic prelate to the Colonies was clearly pointed out by the two hundred and fifty-nine signers of the *Laity Remonstrance* (July 16, 1765) who protested against the appointment of an “Apostolical Vicar.”³⁸

³⁶ *Westminster Arch.*, in Guilday, *op. cit.*, 145.

³⁷ *Memorandum* of Challoner, *ibid.*, 146.

³⁸ *Ibid.*, 154-156.

Propaganda, however, thought that the Colonists should receive the Sacrament of Confirmation if possible, and, on September 7, 1771, the Cardinal Prefect wrote to Bishop Briand of Quebec asking him to administer the Sacrament in the "lower colonies":

Most Illustrious and Reverend Lord and Brother,

From several relations which have reached us lately, the Sacred Congregation has learned that in Maryland, Pennsylvania, Virginia and other coterminous places there are found Catholics who, though in other matters are not suffering from the want of spiritual succor, have however not received the Sacrament of Confirmation. The most Eminent Fathers greatly desire to grant them this favour but they readily understand that their wish can hardly be realized unless your Lordship, as being the nearest Bishop, consent to assume this task and perform this remarkable office of charity. In their name, therefore, I earnestly beg of you cheerfully to undertake this burden agreeable to God and especially useful to our Faith, the faculties for which, solicited from our Most Holy Lord, you will find in the accompanying sheet. If you are so prevented by difficulties, as to be unable to fulfil this ministry in person I beg at least that you answer me as quickly as possible, informing me of any other appropriate manner in which that orthodox flock may be succored. Meanwhile I beseech God to long preserve your Lordship in health and welfare.

*Of Your Lordship
With brotherly greetings,*

JOSEPH MARIA CARD. CASTELLI, *Prefect*
STEPHEN BORGIA, *Secretary*³⁹

The following special faculties were included with the Cardinal's letter:

In an audience of our Most Holy Lord Pope Clement XIV, obtained by me, the undersigned, Secretary of the Sacred Congregation for the Propagation of the Faith on the first of September, 1771.

Our Most Holy Lord in accordance with the report presented by me the undersigned, and considering the special reasons alleged, has granted the Reverend Lord Du Breil de Pontbriand,⁴⁰ Bishop of Quebec in North America, the faculty

³⁹ *American Catholic Historical Researches*, XXI, 133-134.

⁴⁰ Bishop Pontbriand died in 1760 and he was succeeded in 1766 by Bishop

to administer the Sacrament of Confirmation to the Catholics living without his diocese, namely, in Maryland, Pennsylvania, Virginia and other coterminous places, and has declared that the said faculty is to last for ten years only.

Given at Rome on the day and in the year as above.

STEPHEN BORGIA, *Secretary*.⁴¹

Bishop Briand acknowledged the letter but added that he would "write to some missionaries in that country to forwarn them."⁴² Father Ferdinand Farmer⁴³ answered Bishop Briand's letter on April 22, 1773, stating that the presence of a prelate in their midst "would create great disturbances, with the danger of depriving us of the paltry privileges we are now enjoying . . ." ⁴⁴ Accordingly, Bishop Briand decided not to visit the Colonies.

The Revolutionary War (1775) cut off all communications with the Vicar-Apostolic in London and for the next ten years the Church in the Colonies had to get on as best it could. The Bishop in London was still the ecclesiastical head of the Church in the "Thirteen Provinces of America," until the appointment of Carroll as Prefect-Apostolic in 1784, but for practical purposes ecclesiastical independence from England went hand in hand with civil independence. Father John Lewis, the last Jesuit Superior at the time of the suppression of the Society (1773) had been appointed by Bishop Challoner as his vicar-general in the Colonies, and he continued to act in that capacity until 1784. The truly independent status of the Church in America is brought out clearly by the fact that Bishop Talbot who succeeded Challoner in 1781, refused to exercise power over the American Church.⁴⁵

Jean-Oliver Briand who occupied the see until 1784. Propaganda evidently did not know of Bishop Pontbriand's death.

⁴¹ *Researches*, *loco cit.*

⁴² *Ibid.*, 135.

⁴³ The real name of this noted American Jesuit was Steinmeyer. He was born October, 1720, in Germany; entered the Society of Jesus under the cognomen of Farmer, September 20, 1743; he was assigned to the English Province in 1751 and came to Maryland in 1758. He died in Philadelphia, August 17, 1786. Guilday, *Carroll*, 305.

⁴⁴ *Researches*, XXI, 118-120.

⁴⁵ Shea II, 205.

The American missionaries were thus disowned by London. As members of an Order suppressed by the Holy See (1773), they were disowned by Rome. The statutes of the Vicariate-Apostolic of London apparently were not communicated to them or at least were not enforced and it was impossible for them to observe the regulations of the Society. Left to themselves, the American missionaries realized the necessity of some organization, although this would mean an appeal to Rome where they had little hope of being heard.

Accordingly, on June 27, 1783, Father John Lewis, the Vicar-General of the London District, called a meeting of six deputies of the American clergy at Whitemarsh, Maryland. At this meeting, the mission was divided into three districts—the Northern, Southern, and Middle—from each of which the clergy were to send delegates for a General Chapter. At the Chapter which was held on November 6, 1783, the following missionaries were present: Fathers, John Lewis the Superior, John Carroll, Bernard Diderick, Ignatius Matthews and James Walton. The important event of the Chapter was the appointment of a Committee of Five to prepare a petition to the pope, asking him to constitute Father John Lewis formal Superior of the American Mission and to invest him with certain episcopal powers, namely, to administer the Sacrament of Confirmation, bless chalices, and impart faculties to those priests who would in future join the Mission. The newly-born universal toleration of all religions in the Thirteen United States was not to be tampered with, and, consequently, the petition contains no reference to a vicar-apostolic or bishop, for such an appointment would be equivalent to introducing a “foreign power.” The petition drawn up by the Committee reads as follows:

Most Holy Father:

We, John Lewis, Bernard Diderick, Ignatius Matthews, James Walton, and John Carroll, missionary priests, residing in the Thirteen United States of North America, assembled together from the neighboring stations to take counsel for the good of the missions, our fellow-priests residing in the more remote parts of this mission, agreeing herein and approving by letter, in our name and in the common name of our brethren, with all respect represent to your Holiness, that we, placed under the recent supreme dominion of United

America, can no longer have recourse, as formerly, for necessary spiritual jurisdiction to the Bishops and Vicars-Apostolic residing in different and foreign States (for this has frequently been intimated to us in very positive terms by the rulers of this Republic), nor recognize any of them as our ecclesiastical Superior, without open offense of this supreme civil magistracy and political government. Wherefore we, placed in this difficult position, have recourse to your Holiness, humbly beseeching you to vouchsafe to confirm anew the ecclesiastical Superior who we now have, namely, John Lewis, a priest already approved by the Vicar-Apostolic of London, to whom this whole mission was subject before the change of political government, and to delegate to him the power of granting the necessary faculties to priests coming into these missions, as it shall seem expedient; that said Superior may delegate this power to at least one or more of the most suitable missionaries as the necessity and distance of time and place may require.

Moreover, as there is no Bishop in these regions, who can bless the holy oils, of which we were deprived for several years during the confusion of the war, no one to bless the chalices and altar stones needed, no one to administer the sacrament of confirmation, we humbly beseech your Holiness to empower the said John Lewis, priest, Superior, to perform these things in the present necessity, and until otherwise provided for this mission by your Holiness, that our faithful, living in many dangers, may be no longer deprived of the Sacrament of Confirmation nor die without Extreme Unction according to the right of the Church.

Moreover, we also pray your Holiness to bestow on this mission the indulgences of the Jubilee, and to extend to the missionaries the ample faculties which may seem seasonable in these vast and remote regions racked by a long bitter war, where on account of the constant military movements, neither the Jubilee on the exaltation of your Holiness to the See of Peter, nor the Jubilee of the year 1775, could be promulgated, much less celebrated or enjoyed.

This, Most Holy Father, is what we the aforesaid petitioners, missionary priests in these regions of United North America, humbly solicit from your Holiness' supreme wisdom and providence for the good of the Catholic religion.⁴⁶

The petition, which is not dated, was presented to the Holy See

⁴⁶ *Prop. Archives, Scritture rif., America Centrale*, vol. II, ff. 238. Translation from Shea II, 209-210.

according to Shea, through Cardinal Borromeo.⁴⁷ When the tenor of the document was made known to the other missionaries, they feared that it was not sufficiently respectful in tone, and, a second petition was drafted. This second document contained the request that the Superior be elected by the American missionaries themselves, and declared that the United States Government would not tolerate the presence of a bishop in the country. The petition was sent by John Carroll to a friend in Rome through whom it was to be presented to Pius VI. Before either document arrived in Rome, the Congregation de Propaganda Fide had begun negotiations with the Apostolic Nuncio in Paris respecting the appointment of a bishop in the United States.

⁴⁷ Shea II, 210. Cf. the letter of Antonelli to Carroll extending the Jubilee of 1775 to the United States.

PART I
PONTIFICATE OF PIUS VI
(January 15, 1783–August 20, 1799)

INSTRUCTIONS OF PROPAGANDA TO DORIA
PAMPHILI

JANUARY 15, 1783

The surrender of Cornwallis at Yorktown (October 19, 1781), had decided the outcome of the Revolutionary War. By March, 1782, the British House of Commons declared itself against continuance of the War; and the new ministry, under the leadership of Lord Rockingham and such followers as Charles James Fox and Lord Shelburne, gave assurance that peace negotiations would not be far off. Benjamin Franklin, John Adams and John Jay, had been appointed as peace commissioners by Congress and on September 21, 1782, Richard Oswald was commissioned by Parliament to negotiate with the Americans in Paris concerning the terms of the peace treaty. Preliminary articles were signed on November 30, 1782, by Oswald and the American Commissioners, and in January, 1783, France, Spain and England came to terms regarding the stipulations of the peace treaty. The definitive treaty of peace was signed on September 3, 1783.¹

Realizing the great importance of the negotiations being carried on in Paris concerning the articles of peace, the Holy See felt that every effort should be made to have an article inserted that would assure the free exercise of the Catholic Faith. France, to whom the Americans were deeply indebted for the outcome of the War, was still the First Daughter of the Church. Louis XVI was a truly Christian King and the Comte de Vergennes, his Minister of Foreign Affairs, was willing to further the interests of the Faith. Accordingly, the Holy See instructed Prince Doria Pamphili, the papal Nuncio at Paris, to use all his influence at the French Court to have an article inserted into the Peace Treaty "concerning the

¹ The Treaty of Paris is given in MacDonald, *Select Documents Illustrative of the History of the United States: 1776-1861* (New York, 1897), 16-21.

free exercise and the maintenance of the Catholic religion". Once that were accomplished, the Church in the New Republic could be provided with a vicar-apostolic, if only his Most Christian Majesty was to assume the patronage of the American Church.

Summary: The general peace about to be concluded among the nations of Europe will affect the future of the Catholic Church in the newly-founded Republic in America. Up to the outbreak of the Revolutionary War, the Vicar-Apostolic of London possessed spiritual jurisdiction over all the possessions of England in America. The political and civil power of the British Government over the American Colonies will be broken by the approaching declaration of independence of these provinces. The influence and direction of the London Vicar-Apostolic in religious affairs pertaining to these provinces will likewise be broken. You should therefore make use of the influence which you have at the French Court to have an Article inserted into the Peace Treaty "concerning the free exercise and the maintenance of the Catholic religion".

The King, Louis XVI, should be approached on the question of assuming the royal patronage of the Church in America, and, if opportune, the question of founding new missions and sending missionaries is to be broached.

Propaganda suggests the appointment of a vicar-apostolic, with episcopal character, to be chosen from among the subjects of the new Republic. This would obviate any national jealousy to having a foreign bishop administer the Sacraments of Confirmation and Holy Orders. Perhaps the American Congress will not permit a Catholic bishop to enter the United States; in such a case, an American could be appointed prefect-apostolic. An American is to be preferred for the post but if none is found fit for the office, Congress should be asked to allow the appointment of a foreigner. Propaganda is willing to assign an allowance to the new ecclesiastical superior in case no other offer is made.

Istruzione per Monsignor Nunzio² di Francia mandata con Lettera di Congregazione il 15 Gennaro 1783 dopo averne riportata l'Approvazione di Nostro Signore.

In occasione delle paci generali, che sonosi conchiuse fra i principi dell' Europa, la Santa Sede è stata solita di sempre invigilare con somma sollecitudine per gl' intressi o comuni della religione, o suoi particolari, cioè de' propri patrimonj e giurisdizioni. Quindi è che ai congressi di dette paci ha spediti o dei cardinali legati a latere, o dei prelati nunzi apostolici. Il trattato che va a conchiudersi tra le potenze belligeranti d'Europa non è certamente di quell' importanza, nè ha quei rapporti alla religione, e ai diritti della Sede Apostolica, ch' esigga una spedizione di un ablegato. Contuttociò essendosi già stabilita l'indipendenza delle provincie unite d'America dall' Inghilterra, e potendosi pur prevedere, che qualche altro paese o provincia passi in altrui dominio, sembra necessario che Nostro Signore prenda qualche pensiero e sollecitudine per l'esercizio, e conservazione della religion cattolica in quegli stati.

A quest' effetto è necessario che monsignor nunzio resti informato, che tutte le possessioni dell' Inghilterra o nel continente o nell' isole dell' America, eccettuatone il Canadà ove dopo il passaggio di questo regno al dominio Britannico si è sempre conservato il proprio vescovo in Quebec, come si era in tempo del governo francese, in vigore dell' articolo IV di pace segnato in Parigi li 10 Febbraio 1763,³ dipendevano

² Prince Joseph Doria Pamfili Landi, titular Archbishop of Seleucia and Apostolic Nuncio at Paris, was born in 1751. He became Bishop of Frascati (Tusculum), on September 26, 1803, and on September 26, 1814, was transferred to the See of S. Rufina (Porto). He died on October 10, 1816. Gams, *Series Episcoporum* (Ratisbon, 1873), xi, xxi; *Enciclopedia Italiana* (Treves), XIII (1932), 169.

³ The Treaty of Paris, February 10, 1763, marked the end of the Seven Years' War. The pertinent part of the IV Article of the Treaty follows: "His Britannic Majesty, on his side, agrees to grant the liberty of the Catholic religion to the inhabitants of Canada: he will consequently give the most precise and most effectual orders, that his new Roman Catholic subjects may profess the worship of their religion, according to the rites of the Romish church, as far as the laws of Great Britain permit. His Britannic Majesty further agrees, that the French inhabitants, or others who had been subjects of the Most Christian King in Canada, may retire, with all safety and freedom, wherever they shall think proper, and may sell their estates, provided it be to subjects of his Britannic Majesty, and bring away their effects, as well as their persons, without being restrained in their emigration, under any pretense whatsoever, except that of debts, or of criminal prosecutions . . .". MacDonald, W., *Select Charters and Other Documents* (New York, 1906), 262.

nello spirituale dal vicario apostolico di Londra, e ciò non solo per un' antichissima consuetudine, ma ancora per autorità dei decreti della Sacra Congregazione di Propaganda approvati da Sommi Pontefici. Tutti i missionarj pertanto di quelle vaste contrade ricevevano le facoltà per l'esercizio del ministero apostolico dal sopradetto vicario apostolico di Londra. Non si sa precisamente, qual sia al presente il numero dei cattolici, e quanto vi fiorisca la cattolica religione in quelle possessioni degli Inglesi. Da una relazione del 1756,⁴ che è l'ultima mandata alla congregazione di Propaganda dal vicario apostolico di Londra si rileva, che nella Marylandia vi erano da diecimila cattolici comunicanti, i quali venivano assistiti da dodici sacerdoti della soppressa Compagnia di Gesù: nella Pensilvania se ne contavano cinquemila, serviti essi pure da quattro missionarii Gesuiti; nella Virginia, nella nuova York, nella Jersey vi erano soltanto dei cattolici dispersi quà e là, ed ignoravasi anche dal vicario se avessero sacerdoti, che loro potessero amministrare i sacramenti, e se in quegli abitanti vi fosse tollerato l'esercizio della cattolica religione. Or siccome la prossima dichiarazione dell' indipendente sovranità di tutte queste provincie rompe tutti i vincoli di subordinazione politica e civile, che avevano col governo Britannico, così ancora rimarrà sciolto di sua natura ogni legame nelle materie religiose, e perciò verrà tolta ogni influenza e direzione, che vi ha avuta fino a questi tempi il vicario apostolico di Londra.⁵ Le parti dunque del nunzio apostolico alla corte di Francia nelle presenti circostanze dovrebbero esser quelle di impegnare efficacemente lo zelo e la pietà di Sua Maestà Cristianissima, acciocchè mediante l'efficace influsso, che egli ha sui principali capi del congresso Americano, si compiacca d'interporre la valevole sua autorità in farsi, che tra le convenzioni solenni di pace, da rimaner garantite dalla pubblica fede, non sia dimenticato l'importantissimo articolo concernente il libero esercizio e conservazione della religione cattolica, e tanto più che dopo la dimora, che hanno fatto in quelle provincie le truppe francesi, vi abbia la religione cattolica fatto qualche progresso.

Oltre poi questo generale interesse, che come figlio primogenito dee prendere il re cristianissimo alla dilatazione della chiesa cattolica, non può essere a meno che molti sudditi della Maestà Sua, o si fermino in quelle provincie, o vi abbiano luoghi, o frequenti accessi per ragion di commercio, e quindi a vantaggio della salute spirituale di essi debb' essere pure a cuore della Maestà Sua che i suoi sudditi trovino colà dei

⁴ This is apparently the *relatio* found in the *Prop. Archives, Scripture rif., America Centr.*, vol. I, ff. 290-291, and dated August 2, 1763. Bishop Challoner, Vicar-Apostolic of London wrote to Propaganda on that date, giving an account of the American mission. A copy of the *relatio* is preserved in the *Westminster Archives, Papers*, 1761-1765. Shea translated the document and published it in the *Researches*, XII, 44-45.

⁵ Cf. Historical Introduction.

sacerdoti, i quali amministrano loro i sacramenti, e gli assistano in tutti gli altri loro bisogni spirituali.

Altre volte ha sperimentato la Sede Apostolica quanto efficace fosse la protezione del re di Francia a pro della religione in occasione di simili trattati di pace. Vaglia per tutti l'articolo quarto della pace di Riswich ⁶ seguita nell' anno 1697. Luigi XIV avea colle sue vittoriose armi invaso tutti i stati della Casa Palatina infetti dall' eresia, e siccome durante la stazione delle truppe francesi, la religione cattolica vi avea fatto de' progressi, perciò nell' articolo quarto di detta pace fu convenuto così: *Religione tamen catholica Romana in locis sic restitutis in statu quo nunc est, remanente.* E non meno efficace e favorevole alla religione cattolica è il sopracitato articolo 4° del trattato di Parigi del 1763, per cui nel Canada quantunque dominato da una potenza eretica, vi si conserva e fiorisce il cattolicesimo. Quanto pertanto si trovasse alla corte di Francia l'opportuno favore per l'inserzione di un articolo preservativo del pubblico esercizio della religion cattolica nella repubblica delle provincie unite d'America farebbe pur di mestieri implorare il patrocinio di Sua Maestà Cristianissima per concertare un piano di missioni e missionarj in servizio dei cattolici colà dimoranti. Siccome prima dipendevano dal vicario apostolico di Londra, così il sistema più ovvio e anche più proficuo sarebbe di stabilire in qualcuna delle principali città un vicario apostolico col carattere vescovile scelto tra i sudditi della nuova repubblica, il quale avesse dalla Sede Apostolica le facoltà per governare spiritualmente i cattolici di tutte quelle regioni, e a lui poi dovrebbe darsi l'incarico di stabilire varie stazioni di missionari più o meno numerose, a proporzione del bisogno di ciascuna provincia. Si propone un vescovo Vicario apostolico, poichè potrebbe questo supplire a tutti i bisogni e per l'amministrazione della cresima, e per l'ordinazione ancora di qualche chierico tra sudditi della nuova repubblica, e così si toglierebbe la gelosia di stato, se questi nuovi repubblicani fossero costretti per ricevere i detti sacramenti, ricorrere ai vescovi soggetti ad altro dominio. Ma quando per altri riflessi alieni fossero i capi del Congresso Americano di ammettere nel seno della loro patria alcun vescovo, potrebbesi in sua vece sostituire un prefetto generale di quelle missioni, a cui, fuori delle ordinazioni, dandosi l'istesso titolo e facoltà di Vicario Apostolico, ne potrebbe adempiere come quello perfettamente le veci. Se si trovassero de nazionali, dovrebbero esser questi sempre preferiti tanto pel vicariato apostolico con carattere vescovile, quanto per la semplice prefettura, e per il solo ufficio altresì di missionario, ma se non vi fossero, o non vi fossero degl'idonei, dovrebbe esser permesso di chiamarli dagli esteri dominj, ma sempre tra quelli che fossero più imparziali e più accettati al governo.

Dovrebbe anche convenirsi dei mezzi della sussistenza temporale di

⁶ The Treaty of Rijswijk (Ryswick), a village in the Netherlands, ended the King William's War (1690-1697).

questi ministri evangelici. Sarà difficile, che a questo voglia concorrere la pubblica dominante sovranità, quantunque la region delle genti richieda, che i sudditi d' uno stato vengano istruiti sufficientemente di quella ragione, che loro si concede di professare, e che quei, che sono impiegati in questa istruzione, che rende gli uomini buoni e fedeli cittadini, e che è coerente al pubblico bene, siano dal pubblico mantenuti. Ma per non diffcultare per cagion d'interesse temporale, il bene spirituale di tante anime, sarà pronta la congregazione di propaganda di dare un congruo assegnamento o al Vescovo, o al prefetto Vicarii Apostolici sperandosi, che gli altri missionarii potranno ricevere il loro sostentamento dalle elemosine dei fedeli, e molto più se saranno Francesi, e per servire ai sudditi di Sua Maestà Cristianissima lo riceveranno dalla sua regia e liberale munificenza.

Sources: *Propaganda Archives, Istruzione*, vol. I, ff. 41-44, in *AHR*, XV, 801-804.

Translated in *Records*, XXI, 186-190.

No. 2.

PAMPHILI TO PROPAGANDA

FEBRUARY 10, 1783

Doria Pamphili succeeded in having a conference with the Minister of Foreign Affairs, Vergennes, early in February and he was impressed with the latter's solicitude in having Article VIII, assuring religious freedom, inserted into the peace preliminaries. The account of the conference which the papal Nuncio forwarded to Rome was very hopeful:

Summary: I have informed Vergennes of Propaganda's solicitude that articles concerning the Catholic religion be inserted into the peace treaty. Vergennes has already taken pains in the preliminary articles to secure peace in religious matters for those subjects who return to British rule; he will have the same interest in the formulation of the peace treaty, having in mind the stipulations of the treaty of 1763 bearing on religion. Concerning the new republic, he is confident that there will be consent both to the presence of Catholic missionaries as well as to the appointment of an American as vicar-apostolic. I begged him to inform Franklin that I would have spoken to him on the matter, and I shall do so when I have learned what his views are.

*Emin. e Revmo Sig. Sig. Padrone Colendissimo.*¹

(*Sig. Card. Antonelli, prefetto della*

S. Congregazione di Propaganda, Roma.)

Resi consapevole il signor conte di Vergennes² nella conferenza di martedì della scorsa settimana della istanza, che coll' oracolo di Nostro Signore della Sagra Congregazione di Propaganda Fide per mezzo di Vostra Eminenza mi è stata fatta, affinchè nel trattato di pace, che è per farsi tra le potenze, che sin quì sono state in guerra, si abbia il pensiero d'inserire qualche articolo per la conservazione e dilatazione della religione cattolica. Il nominato regio ministro, che di già all' articolo VIII dei preliminari di pace, sottoscritti in Versailles da esso come ministro plenipotenziario del re Cristianissimo, e dal signor Alleyne Fitz-Herbert ministro plenipotenziario del re della Gran Brettagna, ha avuto premura di assicurare la tranquillità in materia di religione a quei sudditi, che ritornano sotto la dominazione inglese, l'avrà ancora similmente nell' estensione del trattato di pace, al qual' effetto non lascerà di osservare quel che in riguardo della religione si stabilì nel trattato di pace del 1763. In quanto agli Stati Uniti dell'America Settentrionale che in avvenire saranno riconosciuti una nuova sovrana repubblica, il prelodato signor conte si lusinga, che, oltrechè nella stessa repubblica per massima fondamentale si tollerano tutte le religioni, e se ne ammette il pubblico esercizio, non solamente si acconsentirà, che vi siano de' missionarj cattolici, ma che altresì si elegga un vicario apostolico nazionale di carattere vescovile. Fu da me pregato di prevenire il

¹ Leonard Antonelli, Prefect of the Congregation de Propaganda Fide, was born at Sinigaglia, November 6, 1730. He was created Cardinal by Pius VI in 1775, and later Dean of the Sacred College, Prefect of the Propaganda, Bishop of Ostia and Velletri. He accompanied Pius VII to Paris in 1804, and was banished from Rome by the French in 1808, first to Spoleto and later to his birthplace, Sinigaglia where he died, January 23, 1811. Cancellieri, *Cenotaphium Leonardi Antonelli Cardinalis* (Pesaro, 1825); Gams, *op. cit.*, vii; De Montor, *op. cit.*, II, 389.

² Count Charles Gravier de Vergennes was born at Dijon, December 29, 1719. At the age of twenty he entered upon his diplomatic career being appointed Counselor of Embassy to the French Minister to Portugal (his uncle). Ten years later he received the appointment of minister to the Elector of Treves. In 1754, Vergennes was given the position of Minister Plenipotentiary to the court of the Sultan of Turkey and in 1771 was named ambassador of France to Sweden. His highest office was conferred upon him by Louis XVI when the king chose him as his Minister of Foreign Affairs, an office which he held until his death in 1787. Cf. Meng, J. J., *Comte de Vergennes, European Phases of His American Diplomacy* (Washington, 1932).

signor Francklin³ ministro plenipotenziario della repubblica degli Stati Uniti dell' America settentrionale, che io gli avrei parlato di quest' affare, come farò, allorquando dal signor conte di Vergennes avrò inteso quel che su di ciò dal signor Francklin avrò riportato. E riserbandomi d'informare l'Eminenza Vostra dell' esito, che avranno tali mie diligenze, pronto sempre ad eseguire i suoi veneratissimi comandi, con tutto l'ossequio mi pregio di essere.

Sources: *Prop. Arch., Scritture rif., America Centrale*, vol. II, f. 186, in *AHR*, XV, 804.

Translated in *Records*, XXI, 190-191.

No. 3.

PROPAGANDA TO PAMPHILI

MARCH 19, 1783

Vergennes's assurance that the new Republic would tolerate Catholic missionaries and a vicar-apostolic was a source of great consolation to the Holy See and Antonelli answered Pamphili's letter telling him with what satisfaction it was received. Still, the Cardinal would not be certain what course of action to take until the Nuncio would have his interview with Franklin.

Summary: Your letter of March 19, 1783, was a source of consolation to all in Rome. I am especially cheered by the prospect

³ Benjamin Franklin (January 17, 1706-April 17, 1790) was born at Boston; early became an expert printer and through his publications is known as the Father of the American press. From 1757 to 1775 he was mainly occupied with the interests of the Colonies in London. He was chosen a Member of the Continental Congress in 1775, served on the commission sent to induce the Canadians to join the cause of the Colonies, and was one of the Committee of Three sent to negotiate a treaty with France. The Committee was secretly received by Vergennes, December 28, 1776, and the treaty concluded February 6, 1778, mainly through Franklin's diplomacy. In 1778, Franklin was appointed sole plenipotentiary of the Colonies and was named one of the commissioners to negotiate peace with Great Britain in 1781. He remained in France until July 12, 1785. In 1787, he was chosen a member of the Constitutional Convention. His last public act was to sign a memorial to Congress asking the abolition of slavery. Cf. Article by Carl Becker in *Dictionary of American Biography* (New York), VI, 585-598.

that missionaries will be tolerated in the New Republic and that a native vicar-apostolic will be allowed to reside there. I shall await with impatience the outcome of your interview on the matter with Mr. Franklin.

Mi è poi riuscito di gran consolazione l'intendere la premura che tiene codesto degno ministro signor conte di Vergennes di assicurare nel trattato di pace con l'Inghilterra la tranquillità della nostra santa religione cattolica, e le speranze che ci dà, che anche nelle provincie degli Stati Uniti dell' America non solo si acconsentirà, che vi siano de' missionarj cattolici, ma che si elegga altresì un Vicario Apostolico nazionale col carattere vescovile, cosa che potrà molto giovare al bene delle anime e alla propagazione della fide. Attenderò frattanto con impazienza l'esito dell' abboccamento, che Ella sperava di fare su questo proposito col Signor Franklin ministro plenipotenziario di quella repubblica. . . .

Sources: *Prop. Arch., Lettere*, vol. 242, f. 196, in *AHR*, XV, 805.

Translated in *Records*, XXI, 192.

No. 4.

PAMPHILI TO PROPAGANDA

SEPTEMBER 1, 1783

The Apostolic Nuncio finally managed to enter into negotiations with Franklin. In a letter of July 28, 1783, to the American Minister, Pamphili enclosed a *Note* which he requested Franklin to present to the American Congress and to support it with his influence.¹ The *Note* requests information on two points about which Antonelli was much concerned: 1) Would Congress permit the appointment of an American as vicar-apostolic, and 2) Would Congress permit, in case of necessity, the appointment of a bishop of a "foreign nation, the most friendly to the United States"?²

¹ Shea II, 213. The *Note* given in Shea is a translation of *Note A*, given below.

² Considering the plan concocted in Paris of placing the American Church under the domination of a French prelate, it is easy to conclude that the first question in the *Note* is nothing more than a well-worded *captatio benevolentiae* for the second.

The American Minister, after mature reflection on the Nuncio's suggestion, answered that, in his opinion, it would be useless to present the *Note* to Congress since that body had no authority to meddle into ecclesiastical affairs and the Catholic Church would be free to take whatever measures it saw fit as long as they did not touch the Constitution. Franklin did not have to ponder long over the meaning of the Nuncio's words concerning the "nation most friendly to the United States", and the appointment of a Frenchman to the post of vicar-apostolic would, in his opinion, be desirable.

Note C, given below, reflects the tenor of the conversation which took place when Pamphili interviewed Franklin, namely the question of maintenance for the missionaries and the vicar-apostolic, and whether a Frenchman could be appointed to the latter post. Franklin solved the difficulty of maintenance by making the surprising suggestion that the monasteries of English Benedictines in France, whose revenues amounted to 60,000 *livres* a year, be used for that purpose.³

Pamphili sent an account of his different negotiations to Antonelli and it is worthy of note that he makes no mention of an American being appointed to the post of vicar-apostolic. The main burden of his report is that Congress will tacitly approve the Holy See's choice of a "French ecclesiastic, who, residing in France, may regulate the affairs of Catholics in America, through a suffragan there". He did not favor Franklin's proposal concerning the English Benedictine monasteries, but he is careful to call attention to the last paragraph of *Note C* as tending "to the attainment of desirable ends". The contents of the three *Notes* were made known to Vergennes, whom he begged "to facilitate the establishment of a college in France" for priests destined for America. The matter was referred to Talleyrand and a meeting was held between Pamphili, Talleyrand and Vergennes to discuss plans. At the time of writing the plans were being thought over.

³ Taunton in his *English Black Monks of St. Benedict* (London, 1908), II, 285 says: "Benjamin Franklin during his stay in Paris (1776-1884) was a constant guest [at the English Benedictine monastery of St. Edmund's], and, it has been said, took from the constitutions of the English benedictines many features for those of the United States".

The last sentence of the Nuncio's letter is worthy of note: "Your Eminence will deign to inform neither the ecclesiastic just mentioned (the American Superior), nor anyone else, with the exception of the Holy Father, of my negotiations with the Count de Vergennes and with Monsignor the Bishop of Autun, since it is a question as yet of mere project, of which it would not be well to speak before it be realized, or developed sufficiently not to be frustrated by anyone who may regard the proposed establishment unfavorably".

Summary: Three papers are enclosed concerning the establishment of apostolic missions in the United States. The first is a copy of a note which I sent to Franklin; the second and third are copies of Franklin's note and his observations on my note. I merely acknowledged the receipt of these papers. As the notes will show, Franklin is of the opinion that Propaganda will be free to take all necessary measures that do not infringe the constitutions, and that Congress will tacitly approve the Congregation's choice of a French ecclesiastic who will regulate the American Church from France. I would suggest that the Apostolic Nuncio, rather than a French prelate, invest an ecclesiastic with the character of bishop, to rule the American Church. Franklin, in note C, states that there is no seminary in America, and no hope for an appropriation for such an establishment; Franklin's proposal regarding the English Benedictine monasteries in France cannot be accepted. Your attention is called to the last paragraph of note C. I have informed the Count of Vergennes of the contents of these Papers and he has promised to do all in his power to have a college established in France for the education of American missionaries; Vergennes suggested that I see Talleyrand in order that the latter might be of assistance in the matter. However, it is necessary first to procure the requisite funds and to know the number of priests needed and whether there be any aspirants for the priesthood in America. Talleyrand agreed to a conference at Versailles, where he and Vergennes showed themselves interested in obtaining the necessary funds. I trust you will obtain further information from the superior of the American mission concerning the number of priests in the mission at present and how many

more will be needed. I shall have Vergennes write to Luzerne for information concerning these two points.

Note A.

Before the American Revolution, the Vicar-Apostolic in London possessed jurisdiction over the Church in the American Colonies; this arrangement cannot be continued. Since the Church in America is in need of an ecclesiastical superior, Propaganda Fide has decided to approach Congress on the appointment of an American subject as bishop vicar-apostolic or prefect-apostolic. A bishop vicar-apostolic seems to be preferable since this would enable American subjects of the United States to receive Confirmation and Holy Orders in the United States rather than in a foreign country; and, since it may happen, at times, that no American be found fit for the office of ecclesiastical superior, Congress would have to consent to the appointment of a bishop of a foreign nation, "the most friendly to the United States".

B. Observations on the Note of the Apostolic Nuncio.

After mature reflection on the Nuncio's note, Franklin believes that it would be altogether useless to send it to Congress, since the latter cannot and should not intervene in ecclesiastical affairs. The constitution of each State has the right to protect its members, to tolerate their religious opinions and not to interfere in the matter unless they disturb the civil order.

Franklin is of the opinion that the Holy See may take all necessary measures, without infringing the Constitution, and that Congress will tacitly approve Congregation's choice of a French prelate who will regulate the American Church from France.

That arrangement is politically desirable and also favorable to the Holy See's intentions.

C. Note on American Catholics.

The American Revolution by changing the political interests of the Colonies has also altered the ecclesiastical relations of American Catholics to England. The unity of the present government seems to demand that all British influence over American subjects be lessened.

In most of the Colonies, no provision is made for the support of the clergy of any denomination. Neither is there any institution where aspirants to the priesthood may be instructed. These are important points.

There are four English monasteries in France, whose revenues amount to 50,000 or 60,000 *livres*. The monks are few and these are useless.

The King of France, for diplomatic reasons might permit the monasteries to be used for training and supporting American ecclesiastical students.

It would be expedient that one of the proposed bishops be a French subject, in a position always to act in accordance with the Apostolic Nuncio and the American minister.

Accompagnati dal presente mio rispettosio foglio ho l'onore di trasmettere a Vostra Eminenza tre altri distinti colle lettere A. B. C., e relativi al raccomandatomi stabilimento delle missioni apostoliche nella nuova repubblica degli Stati Uniti dell' America settentrionale. Il primo è una copia di una nota, o sia memoria da me inviata al Signor Franklin ministro plenipotenziario della detta nuova repubblica; ed il secondo, e terzo sono le copie di una nota, e di alcune osservazioni sulla mia fatte dal medesimo signor Franklin, a cui, per prender tempo a dargli una categorica risposta, mi son ristretto di semplicemente assicurare la ricevuta degli accennati suoi fogli. Da questi l'Eminenza Vostra rileverà che il Signor Franklin pensa, che la nostra corte, o sia la Sacra Congregazione di Propaganda da se stessa potrà prendere tutte quelle misure utili ai cattolici di America, senza ledere le costituzioni e che il Congresso non mancherà di approvare tacitamente la scelta, che la Sagra Congregazione di concerto col ministro plenipotenziario degli Stati Uniti farà di un ecclesiastico Francese, che, residente sempre in Francia, col mezzo di un suffraganeo in America regolerà gli affari de' cattolici, che vi sono stabiliti, o vi si vorranno stabilire. Su di ciò sono di parere, che non un ecclesiastico francese, ma il nunzio apostolico pro tempore di Francia colla intelligenza di cotesta Sagra Congregazione potrà incaricare un ecclesiastico col carattere di vescovo, di prefetto, o di vicario apostolico per l'accennato regolamento. Non essendovi però in America, come dice il Signor Franklin, nella sua nota C, alcun collegio, o stabilimento, nè speranza di una imposizione pubblica per l'istruzione necessaria di un ecclesiastico cattolico, Vostra Eminenza ben riconoscerà, convien pensare ad altro partito, e che quello, che il signor Franklin mette in vista de' quattro stabilimenti de' religiosi Inglesi, esistenti in Francia, non può e non deve esser proposto, non

che accettato. L'ultimo paragrafo di detta nota C. merita tutta la considerazione, e tende al conseguimento di quel, che si può desiderare. Del contenuto degli accennati fogli ho creduto bene fare la comunicazione al signor Conte di Vergennes, uomo veramente di stato, e pieno di zelo, e attaccamento per la nostra santa cattolica religione, ed avendolo pregato ad interporci per vedere di rinvenire la maniera di poter fissare in Francia pel desiderato stabilimento un collegio, ove si possano formare tanti preti, quanti saranno necessari pel bene spirituale de' cattolici Romani, che si trovano, o si troveranno negli stati dell' anzidetta nuova repubblica, il medesimo regio ministro, nell' assicurarmi, che ben volentieri darà tutta la mano per l'esecuzione dell' attual progetto, mi suggerì di parteciparlo a Monsignor Vescovo di Autun,⁴ affinchè egli, che ha il foglio de' beneficii ecclesiastici di questo regno, co' suoi lumi, e buoni uffici concorra allo stabilimento del progettato collegio o a San Malò o a Nantes, o a l'Orient o in qualche altra città di quel regno prossima all' oceano, essendo però necessario, che avanti si trovino gli occorrenti fondi, e si sappia all' incirca qual numero di preti abbisogneranno per i cattolici romani abitanti negli Stati Uniti dell' America, e se vi sono soggetti portati ad abbracciare gli studi, e lo stato ecclesiastico. Mercoledì pertanto ebbi un abboccamento con Monsignor Vescovo d'Autun; ed insieme restammo di conferirne sabato della scorsa settimana col signor conte di Vergennes. A quest' effetto in detto giorno mi trasferii a Versailles,⁵ ed il signor conte di Vergennes, ed il nominato prelato mi si mostrarono impegnati per trovare gli occorrenti fondi per un affare di tanta importanza. Mentre a ciò si andrà pensando, l'Eminenza Vostra si compiacerà di darmi quelle notizie che ha della missione dell' America settentrionale, e procurarsene le altre da quell' ecclesiastico, che vi presiede, incari-

⁴ The Bishop of Autun was the celebrated Talleyrand. Charles Maurice de Talleyrand-Périgord was born in Paris, February 13, 1754. He was destined for the priesthood against his will and was ordained in 1779. In 1780, he was appointed general agent for the French Clergy and in 1789 was consecrated Bishop of Autun. The Assembly of the Clergy of France appointed him their promoter in 1782 and he became Secretary in 1785. He became president of the National Assembly in 1790, extolled the spoliation of the clergy, consecrated several Constitutional bishops and was excommunicated by Pontifical Brief in 1791. He was instrumental in establishing the Consulate of 1799 and in 1806 became Prince of Benevento. Turning against Napoleon, he succeeded in re-establishing Louis XVIII. Louis Philippe appointed him Ambassador to London in 1830. He died, reconciled to the Church, on May 17, 1838. Cf. *Encyclopedia Americana*, s. v.

⁵ The Versailles conference between Pamphili, Talleyrand, and Vergennes was held on May 3, 1784. The Papal Nuncio gave Antonelli a report of the proceedings on May 17. Cf. Document 10.

candolo a significarle quanti preti si trovano in quegli stati, e quanti ve ne possano abbisognare. Per avere tali notizie io ancora procurerò, dopo aver ricevuto la risposta di Vostra Eminenza, di fare scrivere dal signor conte di Vergennes al signor cavaliere de la Luzerne ministro plenipotenziario del re cristianissimo presso gli Stati Uniti dell' America settentrionale da tre anni a questa parte, ed amato e stimato grandemente da quei popoli. Ma, eccettuato il Santo Padre, l'Eminenza Vostra avrà la degnazione di non comunicare al suddetto ecclesiastico, nè a qualunque altra persona quel che da me si è trattato col signor conte di Vergennes, e con Monsignor Vescovo d'Autun, poichè riducesi ad un puro progetto, del quale non è bene di parlare intantochè non sarà eseguito, o almeno avanzato in maniera, che non possa più frastornarsi da chi forse non vedrà di buon occhio il suddetto stabilimento. Pronto sempre ad eseguire i veneratissimi comandi dell'Eminenza Vostra, passo per fine a rassegnarmi con tutto l'ossequio.

A. NOTTE.

Avant la révolution qui vient d'être consommée dans l'Amérique septentrionale, les catholiques et les missionnaires de ces provinces dépendoient dans le spirituel du Vicaire Apostolique résidant à Londres. On sent bien que cet arrangement ne peut plus avoir lieu, mais comme il est essentiel que les catholiques sujets des Etats Unis aient un ecclesiastique qui les gouverne en ce qui concerne leur religion, la Congrégation de Propaganda fide existante à Rome pour l'établissement et la conservation des missions est venue dans la détermination de proposer au congrès d'établir dans quelques villes des Etats Unis de l'Amérique septentrionale un de leurs sujets catholiques avec les pouvoirs de Vicaire Apostolique et avec le caractère d'évêque, ou simplement en qualité de préfet apostolique. L'établissement d'un Evêque Vicaire Apostolique paroît le plus convenable d'autant plus que les sujets catholiques des Etats Unis se trouveroient à portée de recevoir la confirmation et les ordres dans leur propre pays, sans être obligé de se rendre à cet effet dans des pays d'une domination étrangère, et comme il pourroit arriver quelque fois que parmi les sujets des Etats Unis, il n'y eut personne en état d'être chargée du Gouvernement spirituel, soit comme évêque, soit comme préfet apostolique, il seroit nécessaire dans une telle circonstance que le congrès voulut bien consentir à ce qu'on le choisit parmi les sujets d'une nation étrangère la plus amie des Etats Unis.

B. OBSERVATIONS SUR LA NOTTE DE M. LE NONCE APOSTOLIQUE.

M. Franklin après avoir lu la notte de M. le Nonce et y avoir murement réfléchi, croit absolument inutile d'envoyer cette notte au con-

grès,⁶ qui d'après ses pouvoirs et ses constitutions ne peut ni ne doit dans aucun cas se mêler des affaires ecclésiastiques d'aucune secte ni d'aucune religion établie en Amérique. Chaque Etat particulier s'est réservé par ses propres constitutions le droit de protéger ses membres, de tolérer leurs opinions religieuses, et de ne s'en mêler en aucune façon tant qu'elles ne troubleraient point l'ordre civil.

M. Franklin pense donc que la Cour de Rome peut prendre d'elle-même toutes les mesures utiles aux catholiques d'Amérique, sans blesser les constitutions, et que le congrès ne manquera pas d'approuver tacitement le choix qu'elle voudra faire de concert avec le ministre des Etats Unis, d'un Ecclesiastique françois toujours résidant en France, qui conduira par l'entremise d'un suffragant résident en Amérique toutes les affaires spirituelles des catholiques qui vivent ou qui voudront s'établir dans ces Etats.

Outre beaucoup de raisons politiques qui peuvent faire désirer cet arrangement, M. le Nonce Apostolique doit y en voir beaucoup d'autres qui peuvent être favorables aux intentions de la Cour de Rome.

C. NOTTE SUR LES CATHOLIQUES AMÉRICAINS.

La révolution d'Amérique séparant les intérêts des colonies de ceux de la métropole, change ainsi les rapports qui liaient les catholiques Américains avec ceux qui vivent sous la domination Angloise. L'unité du gouvernement actuel semble même exiger qu'on tende à diminuer et affaiblir ces liaisons en ôtant toute influence au ministère Britannique sur les sujets des Etats Unis.

Il n'existe dans la plupart des colonies aucune fondation, aucun revenu fixe pour l'entretien d'un clergé de quelque religion que ce soit, la législation envisageant cet objet sous le point de vue d'une liberté plus générale, n'a point voulu faire une surcharge publique d'une imposition qui pourroit n'être que volontaire et particulière.

Il n'existe point non plus de collège ni d'établissement public pour l'instruction nécessaire à un Ecclésiastique catholique, voilà deux points également essentiels à considérer.

Il existe en France 4 établissements de moines Anglois⁷ dont le revenu total peut se monter à 50 ou 60 mille livres.⁸ Ces moines sont en petit nombre. La disette de sujets rend ceux qui restent au moins inutiles.

Il seroit possible que le roi de France pour complaire à la Cour de Rome et resserrer les liens d'amitié avec les Etats Unis permit que ces

⁶ Congress' *Resolution* concerning the appointment of an American bishop is given in Document 7.

⁷ On the foundations of the English Benedictines in France, cf., Taunton, *op. cit.*

⁸ A *livre* was equal in value to about twenty cents.

établissements servissent à former, instruire et faire subsister en partie les Ecclesiastiques qui seroient employés en Amérique.

In conviendrait pour mieux remplir l'objet qu' un des Eveques nommé par le Saint Siège fut un sujet du roi residant en France, toujours à portée d'agir de concert avec le Nonce de Sa Sainteté, et le ministre Américain, et de prendre avec eux les moyens de former les Ecclesiastiques agréables au congrés et utiles aux catholiques Américains.⁹

Sources: *Prop. Arch., Scrittura rif., America Centrale*, vol. II, ff. 206-213, in *AHR*, XV, 805-808.

Translated in *Records*, XXI, 192-197.

No. 5.

PROPAGANDA TO PAMPHILI

SEPTEMBER 27, 1783

Antonelli wrote two letters to Pamphili on September 23, 1783. The one had reference to a newly-converted Protestant minister, Mr. John Thayer of Boston who was on his way to Paris.¹ The second letter contained further instructions concerning the establishment of missions in the United States. From the contents of the letter, the Cardinal Prefect seems to have been hand-in-glove with Pamphili in his scheme to have Paris rule the American Church. It may have been his intention to offer this political plum to France in exchange for accepting the burden of maintaining the American Vicar-Apostolic and supplying missionaries. In his first instructions to Pamphili (Document 1), Antonelli has represented that an American would be preferred for the post. In the present

⁹ "A letter of Barbé Marbois, French Minister to the United States, indicates that the whole scheme [of having France dominate the Church in the United States] originated with him; it represents the Catholics in America as having been directed during the war by Jesuits who favored the British, and spoke of the rancor of the Jesuits against the house of Bourbon". Shea II, 215.

¹ John Thayer, the first American convert from the Protestant ministry, was born in Boston in 1755. He served the Revolutionary troops during the War and afterwards went to Europe. While in Rome in 1783, he was converted, and in 1787 was ordained. Coming to Boston he laboured there until 1796 when Bishop Carroll gave him an *exeat*. He died in Limerick, Ireland, in 1815. Guilday, *Carroll*, 420-426.

instructions, the Cardinal takes it for granted that the Vicar-Apostolic will be a Frenchman, who would be subject to the Papal Nuncio in Paris.² At the same time, the French Vicar-Apostolic would have an agent in Paris who would act as correspondent between the Nuncio and the American Minister. The cardinal seems to have become more convinced that the American superior be invested with episcopal character and that he have his See in the United States. Both the bishop and the missionaries however are to be Frenchmen; the latter are to be trained in some seminary in France but if more than eight or ten missionaries are required then an American College might be founded at the Propaganda.

Summary: You are to be praised for your zeal and sagacity in having enlisted the support of Vergennes and Talleyrand in the plan for establishing "missions in the provinces of the new republic". Propaganda is still willing to assist in the support of the vicar-apostolic or of a bishop. The following points are to be established:

1) Franklin's proposition to suppress the four English-Benedictine monasteries in France is to be rejected "without further discussion". 2) The Nuncio to France should have the supervision of the American missions and, when necessary, he would consult

² The following letter of Propaganda to the Capuchin Father Alexander is an example of the interest shown by individual priests in coming to the United States as missionaries:

R. P. Alexandro Ordinis Cappuccinorum, Vassejum in Gallia.

29 Novembris 1783.

Quod Te ad obeundam in America septentrionali apostolicam missionem promptum paratumque exhibeas, id Sacra Congregatio de propaganda fide pergratum habet, laudatque majorem in modum tuam istam pietatem, et religionis zelum. Verumtamen, quam non ita brevi confici posse videatur negotium, quod in praesens geritur, de catholicorum directione in iis regionibus constituenda, neque adhuc constet, quinam, quibusque ex provinciis desumendi erunt sacerdotes qui illuc mittantur, idcirco nihil certi tuae petitioni respondere possum. Hoc tamen pro certo habeas, si in America septentrionali Cappuccinis locus aliquis esse poterit, me tui desiderii rationem esse habiturum. Interim Deum precor, ut tibi fausta omnia concedat, tuisque me orationibus plurimum commendo. *Prop. Arch., Lettere*, vol. 242, f. 847, in *AHR*, XV, 811. Translated in *Records*, XXI, 202-203.

with the United States' minister at Paris. A French agent for the American Superior could be established at Paris. Since the United States' minister is not a Catholic, it would be desirable to have a French ecclesiastic in private correspondence between the Nuncio and the minister. 3) It still seems necessary that the proposed American superior be invested with the episcopal character and that he reside in the United States. A city in Maryland or Pennsylvania seems to be the logical place for the episcopal See. The Prelate himself will be endowed with the most ample faculties and all the missionaries should depend upon him for their powers and destination in the missions. 4) Present conditions seem to indicate that the proposed Prelate and the missionaries be subjects of France. At some future time, the vicar or bishop would be free to ordain any native available for the ministry. 5) The establishing of a college for the sole benefit of American missionaries would be useful but perhaps impossible of realization. Therefore, 6) it might be well to consider the idea of increasing the income of the Seminary of Foreign Missions or the Seminary of the Holy Ghost (Paris) and imposing upon them the obligation of furnishing missionaries for the United States. Eight or ten missionaries will be a sufficient number to send to the United States at present, although the number of American Catholics is not known to Propaganda; neither does the Congregation know the number of the old missionaries. 7) If the number of missioners suggested be too small, an American College might be established at Propaganda.

Pius VI and Propaganda rely on your good judgment as to which of the suggestions should be communicated to the minister.

Ha così bene incominciato Vostra Signoria il grande affare del piano di missione nelle provincie della nuova repubblica degli Stati Uniti dell' America settentrionale che non dubito di sentirlo anche presto da Lei medesima condotto a felicissima conclusione. Il Santo Padre, a cui se ne è fatta relazione, ha molto commendato il di Lei zelo, e la di Lei sagacità nell' aver interessato in questa salutare opera il signor conte di Vergennes e Monsignor Vescovo d'Autun, quegli per la protezione come degnissimo primo ministro, questi per la sussistenza dei nuovi operaj, per il foglio che tiene dei benefizi in codesto regno. Però questa Sacra Congregazione non si ritira dalla prima esibizione fatta di concorrere al mantenimento del vicario apostolico insignito di carattere vescovile, o anche di un vescovo quando si volesse, che sarà d'uopo di mettere alla testa dei cattolici, che ritrovansi in detti Stati Uniti.

Secondandosi pertanto le ben sensate insinuazioni di Vostra Signoria, si dovranno fissare i seguenti punti:

I. Di rigettare affatto, e non ammettere ulterior discorso sul progetto fatto dal signor Franklin ministro plenipotenziario della detta nuova repubblica di sopprimere i quattro monasterj dei Benedettini Inglesi, che sono in Francia. Oltre l'odiosità, che s'incontrerebbe colla nazione, e che altererebbe il genio pacifico e generoso di S. M. Cristianissima, sarebbe gravissimo il danno, che ne risentirebbono le missioni dell' Inghilterra, se si sopprimessero i detti quattro monasteri; poichè la congregazione Benedettina Anglicana, che somministra circa quaranta missionari, i quali travagliano al bene delle anime in Inghilterra, si ridurrebbe al solo monistero, che, unito ai quattro di Francia, forma il pieno di tutti i monasteri di detta benemerita congregazione.

II. Il nunzio di Francia, e Vostra Signoria l'ha opportunamente rilevato al signor Franklin, dovrebbe avere la soprintendenza di queste missioni Americane, come accade nel nunzio di Brusselles per le missioni di Olanda, ed esso poi se l'intenderebbe col ministro degli Stati Uniti residente in Parigi, sempre che vi fosse d'uopo di andar con esso di concerto per il maggior bene di quelle missioni. Questo stabilimento sarebbe anche compatibile con un agente, che dal vicario apostolico, o dal vescovo da stabilirsi negli Stati Uniti, si volesse tenere in Parigi in persona di qualche ecclesiastico Francese, il quale nei bisogni facesse capo dal ministro dei medesimi stati, e dal nunzio. È da desiderare che questa nuova repubblica giunga un giorno a tenere in Parigi un ministro cattolico, ma nel presente sistema, in cui il ministro è eretico, forse della setta dei presbiteriani, o dei non conformisti, che sono le sette dominanti in detti stati, un ecclesiastico francese per agente, che tenesse privato carteggio con il capo della missione, non sarebbe inopportuno, salva sempre la formale corrispondenza tra il nunzio ed il ministro.

III. Si è accennato di sopra, e si replica ora, che par troppo necessario di stabilire che il capo, il quale dovrà avere la giurisdizione sopra tutti i cattolici sudditi della Repubblica Americana sia insignito del carattere di vescovo con titolo di Vicario Apostolico, e quando piacesse, anche di vescovo incardinato, il quale da qualche città in una delle provincie della medesima repubblica, che più si credesse a proposito per la sua residenza, prendesse il titolo. Siccome il maggior numero dei cattolici era nella Marilandia, e nella Pensilvania parrebbe che in una di queste si dovesse fissare detta residenza, ma su questa modalità converrà riportarsi a ciò, che sarà di maggior soddisfazione del ministro, e degli stati. Non vi ha poi dubbio, che i missionari dovrebbero tutti dipendere dal Vicario Apostolico, o vescovo, e da esso ricevere le facoltà, e la destinazione nelle varie stazioni ove fosse maggiore il bisogno. E per tale effetto il Prelato sarà munito delle facoltà più ampie, quali appunto sono quelle della formola prima.

IV. Quanto poi ai soggetti da scegliersi non meno per il vicariato apostolico o vescovado, che per missionarj, pare che il presente sistema

chiaramente lo indichi, cioè che si debbano per ora prendere dal ceto degli ecclesiastici suddetti di Sua Maestà Cristianissima. Ma se col tempo vi fosse qualche naturale del paese abile al sacro ministero, non si dubita, che sarà libero al Vicario o Vescovo di ordinarlo, e di impiegarlo nella missione.

V. Utilissimo poi sarebbe di formare un collegio ecclesiastico per queste sole missioni, o a Nantes, o a S. Malò o al Orient, o in altri luoghi vicini all' Oceano. Ma si prevede, che la vastità dell' idea malagevole ne renderebbe l'esecuzione. Si comprende che monsignor d'Autun col suo favore potrebbe superar tutto, ma non conviene impegnarsi a cose grandi, e dispendiose come sarebbe l'impianto di un nuovo collegio.

VI. Si potrebbe adunque pensare di accrescere di qualche rendita il seminario delle missioni straniere, ove già si formano gli ecclesiastici per l'Indie Orientali, o pure, e parrebbe più al caso, quello di S. Esprit, gli ecclesiastici del quale sono addetti alle missioni dell' America meridionale nella Caienna e Guiana, imponendo l'obbligo di mantenersi per ora un discreto numero di ecclesiastici da mandarsi sotto l'accennata dipendenza in America nella provincia degli Stati Uniti. Quando sulle prime si facesse una spedizione di otto, o dieci missionari, oltre al vicario, o vescovo, sarà ben provveduto al presentaneo bisogno di que' cattolici, il numero ³ de' quali non è precisamente noto a questa Sacra Congregazione, come neppur quello dei vecchi operaj, che per la massima parte erano della soppressa compagnia; ⁴ giacchè da molti anni, nè in dirittura, nè col mezzo del Vicario Apostolico di Londra, sonosi

³ Carroll's *Relation* to Antonelli in March, 1785, gives the number of Catholics as follows: "1. There are in Maryland about 15,800 Catholics; of these there are about 9,000 freemen, adults or over twelve years of age; children under that age, about 3,000; and about that number of slaves of all ages of African origin, called negroes. 2. There are in Pennsylvania about 7,000, very few of whom are negroes, and the Catholics are less scattered and live nearer to each other. 3. There are not more than 200 in Virginia who are visited four or five times a year by a priest. Many other Catholics are said to be scattered in that and other States, who are utterly deprived of all religious ministry. In the State of New York I hear that there are at least 1,500. . . . As to the Catholics who are in the territory bordering on the river called Mississippi and in all that region which following that river extends to the Atlantic Ocean, and from it extends to the limits of Carolina, Virginia and Pennsylvania,—this tract of country contains, I hear, many Catholics, formerly Canadians, who speak French, and I fear that they are destitute of priests". *Prop. Archives, Scritture ref., America Centr.*, vol. II, ff. 312-314, in Guilday, *Carroll*, 223-225. Translated in Shea II, 257-261.

⁴ "There are 19 priests in Maryland and five in Pennsylvania". Carroll's *Relation*, *ibid.*

avute più notizie di quel cattolicesimo del quale colla istruzione rimessa fin dal giorno 15 Gennaro del presente anno si diede a Vostra Signoria una qualche idea.

VII. Se poi detto numero di operaj si troverà scarso al bisogno, allora vi sarà luogo di crescer le idee per la fissazione di un maggior numero di soggetti, e potranno anche, volendosi formar clero nazionale, stabilirsi in questo collegio di Propaganda due o tre luoghi per gli Americani, come ve li anno tante nazioni di Asia, Affrica ed Europa.

Ma Vostra Signoria che è meglio al fatto delle cose, saprà quali delle notate siano da affacciarsi al ministro, e quali no, su di che Sua Santità e questa Sacra Congregazione riposano nel conosciuto di lei zelo ed attività, di che se ne anno tante splendide riprove; e ringraziandola della lettera acclusami di Monsignor Vicario Apostolico di Londra, resto con vera stima, e di tutto cuore me le offero.

Sources: *Prop. Arch., Lettere*, vol. 242, f. 753, in *AHR*, XV, 808-810.

Translated in *Records*, XXI, 198-201.

No. 6.

PAMPILI TO PROPAGANDA

OCTOBER 20, 1783

Pamphili's plan to have France rule the Church in America could not have been more highly indorsed than by the instructions which he received from Propaganda. In answer to Antonelli's letter, he reports that he has informed the French Court through Vergennes of the contents of the instructions and that he will continue to treat with Franklin until the plan is completed.

Summary: After informing Vergennes of the contents of your letter of September 27, concerning the foundation of missions in the United States I shall continue to treat with Mr. Franklin on the subject till its conclusion. I shall receive Mr. Thayer well on his arrival; and, if he continue in his intention to become a missionary in America, and Franklin have no objection, I shall make use of the faculties which you have forwarded to me.

Dopochè avrò informato il signor conte di Vergennes di quanto Vostra Eminenza si è compiaciuta significarmi colla veneratissima sua del 27 dell' antecedente mese in proposito dell' affare delle missioni da stabilirsi nelle provincie della nuova repubblica degli Stati Uniti dell'

America Settentrionale, continuerò a tenerne discorso sino all' ultimazione col signor Franklin ministro plenipotenziario della medesima repubblica; godendo intanto, che piaccia al Santo Padre, e a cotesta Sagra Congregazione quel che sin quì da me si è trattato, ed incaminato. Quando mi si presenterà il signor Giovanni Thayer nativo di Boston colla commendatizia della Sagra Congregazione di Propaganda Fide sarà da me accolto bene; e persistendo nella intenzione di abbracciare lo stato ecclesiastico per rendersi utile in qualità di missionario alla propria patria, e non incontrandosi in ciò alcuna difficoltà per parte del signor Franklin, farò uso delle facoltà fornitemi col pontificio rescritto, che l'Eminenza Vostra mi ha trasmesso.

Sources: *Prop. Arch., Scritture rif., America Centrale*, vol. II, f. 230, in *AHR*, XV, 810-811.

Translated in *Records*, XXI, 202.

No. 7.

PROPAGANDA TO LUZERNE

MAY 12, 1784

In the meanwhile, the papal Nuncio had succeeded in having Vergennes write to "Chevalier de la Luzerne, who has been minister plenipotentiary of the Most Christian King to the United States of North America for the last three years" (Docum. 4). Luzerne wrote to Vergennes from Annapolis, on January 31, 1784, stating that Pamphili had proposed to Franklin the propriety of establishing a bishopric or vicariate-apostolic in the United States, and that the delegates to the American Congress, although they had welcomed the overture, considered the matter beyond their competency. The delegates assured Luzerne that a Catholic bishop would be welcomed in Pennsylvania or Maryland.¹

¹ Luzernes's letter to Vergennes is as follows:

Da Monsignor Nunzio Apostolico sono state fatte in nome di Sua Santità alcune proposizioni al Dottor Franklin riguardanti la spedizione d'un vescovo, o vicario apostolico, che il S. Padre desidera far presiedere nelle chiese cattoliche romane di questo continente. Il congresso ha rispettosamente abbracciata una tale apertura. Non ha però potuto prender alcuna cognizione di questo affare, che non è di sua giurisdizione. Concerne il medesimo unicamente i cattolici; ed i delegati, che vi hanno parlato a

Congress had evidently received the *Note* (*Note A*, Document 4), which Pamphili had requested Franklin to present to that body. On May 11, 1784, a resolution was passed confirming Luzerne's information to Vergennes: "*Resolved*: That Doctor Franklin be desired to notify the Apostolic Nuncio at Versailles, that Congress will always be pleased to testify their respect to his sovereign and state; but that the subject of his application to Doctor Franklin being purely spiritual is without the jurisdiction and powers of Congress, who have no authority to permit or refuse it, these powers being reserved to the several states individually."²

The contents of Luzerne's letter were probably communicated by Vergennes to Pamphili who would not fail to report the matter to the Propaganda. Cardinal Antonelli decided to make use of Luzerne's ability to obtain information and therefore wrote to him on May 12, 1784.

Summary: Before the American Revolution, the Church in the Colonies was under the direction of the London Vicar-Apostolic. The separation of the Colonies from England necessitated Propa-

questo oggetto, m'hanno assicurato, che un vescovo cattolico sarebbe molto ben ricevuto nelli stati di Pensilvania, e molto più in quelli del Maryland, ove sono molti cattolici, purchè ingegnosamente si astenga dal pretendere alcuna giurisdizione, ed autorità temporale. Il congresso in generale vedrebbe con piacere la residenza di un prelato, il quale, il conferendo gl' ordini per i sacerdoti cattolici di questi luoghi, li esimesse dall' obbligo di riceverli o in Londra, o a Quebec, conforme si è fatto per il passato. Alcuni delegati credevano ancora, che un vescovo cattolico non ricuserebbe di conferir gl' ordini a ministri anglicani dell' America, che fino ad ora sono stati costretti andarli a procurare in Londra, ma questa pratica non mi sembra conciliabile con la professione, che devono fare quelli che ricevono gl' ordini, nè con l'esame che devon subire. L'assemblee legislative ed il congresso si astengono dall' intrigarsi in affari di religione. *Prop. Arch., Scritture rif., America Centrale*, vol. II, f. 241, in *AHR*, XV, 811-812. Translated in *Records*, XXI, 203-204.

² *Secret Journals of Congress* (Boston, 1821), IV, 493. Franklin sent Pamphili a copy of the resolution together with a translation on August 18, 1784: Monsieur Franklin assure de son respect son Excellence le Nonce, et lui envoie copie de l'instruction du congrès qu' il a eu l'honneur de lui communiquer hier avec une traduction qu' il a paru desirer.

PASSY ce 18 Août 1784. *Prop. Arch., Scritture rif., America Centrale*, vol. II, f. 275. Translated in *Records*, XXI, 224. Cf. *infra*, Document 19.

ganda to make a change in their spiritual government also. Hence, Propaganda directed the Nuncio at Paris to broach the subject to the United States Congress in order to find some acceptable plan to accomplish this purpose.

When the Nuncio mentioned the matter to Franklin, the latter answered that Congress could not and should not entangle itself in ecclesiastical affairs. Pius VI then ordered the nuncio to agree with the French ministers and Franklin upon the means best qualified to insure the stability and development of the American missions.

The French King has agreed to a plan that is useful both to American Catholics as well as to the American Government. The realization of this plan demands certain information.

1) Regarding the conduct and capacities of the American ecclesiastics and missionaries; which of them would be the most worthy and most acceptable to Congress if appointed Vicar-Apostolic.

2) If an American be among the most worthy, he would be preferred to others of a different nationality; if there should be a dearth of missionaries, a Frenchman will be sent to establish himself in the provinces.

3) Information is requested concerning the number of missionaries, ecclesiastics and Catholics in the provinces.

4) Are there schools in the States where Latin may be learnt and where students for the priesthood may study the humanities before going to France or Rome to study philosophy and theology?

Prima della rivoluzione dell' America settentrionale gli cattolici e missionarj di questi stati per ciò che riguarda la religione, erano affidati alla vigilanza, e direzione del vicario apostolico residente in Londra. Avendo una tale rivoluzione separati gl' interessi dei Stati Uniti da quelli dell' Inghilterra, e cangiata intieramente l'antica loro giurisdizione, ha ben conosciuto la Sacra Congregazione di Propaganda il bisogna di far altre disposizioni per il regolamento di queste missioni: onde Monsignor Arcivescovo di Seleucia nunzio apostolico in Parigi venne incaricato dalla medesima Sacra Congregazione di avanzare al congresso degli Stati Uniti dell' America alcune proposizioni sopra un tale oggetto non meno utile alla religione, ed all' assistenza spirituale dei cattolici, che di gradimento al governo dei Stati medesimi.

Ne fece parola Monsignor Nunzio al signor Franklin, questo ministro però gli rispose, che avendo su di ciò seriamente riflettuto credeva

assolutamente inutile il farne parte al congresso, il quale, secondo le di lui costituzioni, e facoltà non puote, nè deve in alcun modo intrigarsi negli affari ecclesiastici; onde essere in potere della Corte Romana di prendere tutte le risoluzioni vantaggiose a cattolici dell' America settentrionale senza offendere le costituzioni. Dopo una tale risposta la Sacra Congregazione per comando di Sua Santità incaricò monsignor nunzio di concertare con i ministri di sua Maestà Cristianissima, e con quello dei Stati Uniti, i mezzi più convenevoli per dare alle missioni dell' America settentrionale lo stabilimento ed estensione, di cui fossero, capaci.

Avendo la Maestà del Re Cristianissimo voluto in tale occasione dare un nuovo argomento di sua pietà e dell' interesse che si prende par la conservazione, e dilatazione della religione in tutte le parti del mondo, non ha avuto difficoltà di convenire in un piano utile non meno ai cattolici degli Stati Uniti che al governo di dette provincie; ma per formare una stabile disposizione, ed allontanare tutti gl' inconvenienti e difficoltà, che potessero incontrarsi in esecuzione, fa d'uopo avere alcuni schiarimenti che mettano in istato di compiere quest' oggetto.

1°. Avere esatte istruzioni sopra la condotta e capacità degli ecclesiastici, e missionarj, che trovansi nelle varie provincie dell' America settentrionale; quale di essi sarebbe il più degno e più gradito all' assemblea di tali provincie per essere rivestito del carattere vescovile *in partibus*, e delle qualità di vicario apostolico, riflettendosi, che converrà fissargli la residenza in quella provincia, ove è più grande il numero de' cattolici.

2°. Se tra questi ecclesiastici siavi qualche nazionale del paese mentre essendo questi uno de' più degni in uguaglianza di meriti sarebbe preferito ad ogn' altro di diversa nazione, che si sceglierebbe in mancanza di un nazionale; e qualora le provincie restassero sprovviste di missionarj, si spedirà un francese, perchè vada a stabilirvisi, risiedendo nella provincia di sopra indicata.

3°. Sapere quale sia il numero dell' ecclesiastici e missionarj, quale de cattolici delle differenti provincie, e loro estensione, supponendosi, che in Pensilvania e nel Maryland trovisi il maggior numero. Sarebbe però bene sapere se nelle altre provincie sia anche lo stesso.

4°. Sapere, se nelle dette provincie sianvi le scuole per apprendere la lingua latina, onde quelli giovani, che vogliono incaminarsi allo stato ecclesiastico, possano aver fatto lo studio di umanità, prima d'inoltrarsi nella Francia, o in Roma per applicarsi agli studi di filosofia e teologia.

Sources: *Prop. Arch., Scritture rif., America Centrale*, vol. II, f. 253, in *AHR*, XV, 812-813.

Translated in *Records*, XXI, 204-206. The last part of the document is given in Shea II, 221.

No. 8.

PROPAGANDA TO LUZERNE

MAY 12, 1784

The foregoing letter was sent to the Papal Nuncio in Paris, who forwarded it through Vergennes, together with a letter of his own to Luzerne in New York and another letter to the oldest missionary. The conference between Pamphili, Talleyrand, and Vergennes took place at Versailles on May 3. It was decided at the meeting that Pamphili should write to Luzerne for information and at the same time send a letter to one of the American missionaries.¹ The important part of the letter is Pamphili's significant reference to John Carroll's being chosen as Vicar-Apostolic. This change of tactics, according to Shea, was brought about by the ex-Jesuit friends of the American missionaries in England. Through some channel they came to hear of the French intrigue, and Charles Plowden wrote to Franklin, "exposing to him the degree of respect and consideration due to the missionaries now in America, and to desire that no proposals might be admitted" without their consideration and consent.² Franklin's eyes were opened by this information and "he at once determined that sound policy required him to favor the appointment of an American missionary as Superior of the Catholics in the United States", and from this time he "exerted all his influence to press the appointment of Rev. Mr. Carroll".³ At all events, the French intrigue was doomed, and Pamphili in this letter asks Luzerne whether he considered Carroll "worthy to be named bishop *in partibus* and vicar-apostolic".

Summary: I am sending you a note concerning the establishment of missions in America (U. S.). The information desired in the note will assist us in forming a plan, concerning which I am in agreement with the French and American ministers—I beg you to deliver the enclosed letter to one of the oldest missionaries there. You will see by it that I am asking for information without "referring to the article concerning the bishop vicar-apostolic and to the selection of the latter". I address myself to your

¹ Cf. Document 10, *infra*.

² Plowden to Carroll, September 2, 1784 in Shea II, 217.

³ Shea II, 218.

prudence, that Mr. Carroll has been highly spoken of to me. I trust you will inform me concerning him and will let me know whether you think him worthy to be named bishop *in partibus* and vicar-apostolic.

Ho l'onore di indirizzarle una nota relativa allo stabilimento delle missioni nei Stati Uniti dell' America settentrionale. Il Signor Conte de Vergennes mi ha fatto sperare, che Vostra Signoria vorrà procurarci quei schiarimenti, che sono descritti nella nota medesima, e che potranno condurci a prendere le convenevoli disposizioni per la spedizione di un piano, nel quale per ordine della mia corte sono io d'accordo con li ministri di Sua Maestà Cristianissima, e con quello degli Stati Uniti sopra un oggetto tanto interessante per la religione. Mi stimo felice in potermi diriggere a Vostra Signoria per quest' affare. La di lei perspicacia, ed il zelo mi accertano l'esattezza di tali istruzioni, per le quali la mia corte le professerà obbligazioni. Mi prendo la libertà di accluderle una lettera, che per ordine della S. Congregazione di Propaganda ho io scritto, e che la prego rimettere ad uno dei più antichi missionarj di queste provincie. Ella rileverà dalla medesima che da lui ricerco qualche schiarimento, senza però manifestarmi sull' articolo riguardante il vescovo vicario apostolico e scelta del medesimo. In un' affare così delicato, ed interessante ho creduto dovermi unicamente diriggere alla di Lei saviezza, che con elogio mi è stato parlato dell' Ex-Gesuita Signor Carrol⁴ di Maryland, il quale è stato educato in St. Omer, e nel 1776 dal Congresso fu mandato nel Canadà col signor Franklin, ed altri commissarii. Spero che Vostra Signoria vorrà su di ciò darmi qualche avviso, e significarmi, se lo stima degno d'esser nominato vescovo *in partibus*, e vicario apostolico.

Sources: *Prop. Arch., Scritture rif., America Centrale*, vol. II, f. 257, in *AHR*, XV, 813.

Translated in *Records*, XXI, 206-207.

⁴ John Carroll was born in Maryland, on January 8, 1735. At the age of thirteen he and his cousin, Charles Carroll of Carrollton, were sent abroad to the English Jesuit College at St. Omer, France. He entered the Society of Jesus in 1753, was ordained in 1769, and returned to Maryland in 1774. Ten years later he was appointed Prefect-Apostolic by the Holy See and in 1789 became the first American Bishop of the newly-created See of Baltimore. With the creation of four new Sees—Boston, New York, Philadelphia, and Bardstown—in 1808, Baltimore was raised to the dignity of a Metropolitan. Carroll died in Baltimore, on December 3, 1815 at the age of eighty. Cf. Guilday, *Life and Times of John Carroll* (New York, 1922); Shea, *Life and Times of Most Rev. John Carroll* (New York, 1888).

No. 9.

PAMPHILI TO AN AMERICAN MISSIONARY

MAY 12, 1784

This third letter, which Vergennes despatched for Pamphili is addressed to an American missionary. Shea prints what is seemingly the address at the bottom of the letter: "To Rev. John Carroll, Maryland".¹ Luzerne was probably not in New York when the three letters arrived and the Chargé d'affaires, Marbois sent it to Charles Carroll, who transmitted it to his cousin Father John Carroll. Carroll is the only missionary mentioned in the foregoing letter and this, together with the fact that he was a friend of Franklin probably induced Marbois to send it to him.²

Summary: Propaganda has directed me to ask you for more detailed information on the missions in the United States. I beg you to let me know how many missionaries are needed to serve them; in which provinces there are Catholics and where the greatest number of them reside and, lastly, whether there be among them fit candidates for Holy Orders (and the functions of a missionary).

L'interêt de la religion exigeant de nouveaux éclaircissement aux missions établies dans les Etats Unis de l'Amérique septentrionale, la Congrégation de la Propagande me charge de vous demander des renseignemens détaillés sur l'état actuel de ces missions. Je vous prie de me marquer en même tems quel seroit le nombre nécessaire de missionnaires, pour les desservir, et pour procurer aux catholiques sujets des Etats Unis les secours spirituels, quelles sont les provinces ou il y a des catholiques, et ou il y en a le plus grand nombre, enfin si parmi les naturels du pays il y auroit des sujets capables de recevoir les ordres sacrée, et d'exercer les fonctions de missionnaire. Je vous serai très obligé dans mon particulier de l'exactitude et de la célérité, que vous voudrez bien mettre pour me procurer ces renseignemens, et me les faire parvenir.

J'ai l'honneur, etc., etc.

Sources: *Prop. Arch., Scrittura rif., America Centrale*, in *AHR*, XV, 812.

Translated in *Records*, XXI, 211-212; Shea II, 221.

¹ *Op. cit.*, 221.

² Guilday, *Carroll*, 201.

No. 10.

PAMPHILI TO PROPAGANDA

MAY 17, 1784 .

In Rome, Antonelli was impatiently waiting for news concerning the interview between Pamphili, Talleyrand, and Vergennes. The cardinal wrote to the papal nuncio in Paris on April 7, 1784 implying that Pamphili should arrange to have the conference as soon as possible.¹ The following letter of Pamphili to Antonelli is a report of the conference at Versailles held on May 3. It is apparent from the last part of the letter that Franklin is attempting to atone for his part in the French intrigue for he suggests that Congress and himself would be well-pleased if Carroll were appointed to the office of vicar-apostolic. It was a diplomatic suggestion that, without doubt, carried much weight with Pamphili and Antonelli.²

Summary: The meeting concerning the establishment of missions in the United States took place at Versailles on May 3, between Vergennes, Talleyrand, and myself. Vergennes read an extract from a letter of Luzerne, dated Annapolis, January 31, 1784; I enclose a copy of it wherein you will see that Franklin forwarded the note, addressed to him, to Congress, which received with respect

¹ The letter follows:

Io starò attendendo con quella premura, che Ella può immaginarsi, il risultato della conferenza, vincie unite della nuova repubblica Americana. Io starò attendendo con Monsignor Vescovo d'Autun, e col signor conte di Vergennes, regio ministro, sperando non meno nella di lei zelante attività, che nella bontà della causa di veder conchiuso felicemente un affare di tanta importanza. *Prop. Arch., Lettere*, vol. 244, f. 250, in *AHR*, XV, 812. Translated in *Records*, XXI, 203-204.

² This letter of Pamphili did not reach Antonelli until after May 29, for on that day, the Cardinal Prefect wrote to Paris stating that he was awaiting the result of the interview with much interest:

Secondo ciò, che Vostra Signoria si compiacque motivarmi nella sua de' 26 Aprile, dovrebbe già da più giorni esser tenuta la sessione riguardante l'affare degli Stati Uniti della nuova repubblica Americana, onde ne sto attendendo il risultato con quel desiderio, che Ella può immaginarsi. *Prop. Arch., Lettere*, vol. 244, f. 444, in *AHR*, XV, 816. Translated in *Records* XXI, 212.

the Holy See's proposal to send a bishop or vicar-apostolic and that a bishop would be well received in Pennsylvania or Maryland; but that Congress cannot take cognizance of the matter since it has no competency therein.

At the meeting I called attention to Propaganda's lack of information concerning the number of Catholics in the United States and the consequent inability to determine the number of missionaries and students needed, but that it was believed eight or ten might be educated in France, and two or three at Propaganda, the latter together with the vicar-apostolic to be supported by the Congregation; it was agreed that I should forward Luzerne a note and a letter of mine and another from me to one of the missionaries. I informed Vergennes of the contents of the note and letters and he undertook to send them to Luzerne. We discussed the question of the seminary and it was shown that the seminaries of Paris, of the Foreign Missions and of the Holy Ghost are inadequate for students not sufficiently grounded in Latin to begin the study of philosophy, law and theology. Talleyrand suggested that the students be sent to Bordeaux; the archbishop of that See could place them in one of the seminaries there; Talleyrand believes the fee will be about 1000 *lire* for each student per year. I hope Propaganda will be pleased with what transpired at the meeting, etc., and with Franklin's information regarding the merits of Mr. Carroll, who, if selected, as Vicar-Apostolic, would be very welcome to many members of Congress and especially to Mr. Franklin. Franklin, at present, is suffering from the gravel, and his nephew goes, in his stead to Versailles; being unable to find him there last Tuesday, I went to his house in Passy, and informed him of what transpired at the meeting, etc. He showed himself very well-pleased and assured me that the United States would be grateful to have two or three of its subjects become students in the college of Propaganda.

Come prevenni Vostra Eminenza colla mia rispettosa lettera de' 26 Aprile, la sessione dell' importantissimo affare relativo allo stabilimento della missione nelle provincie della nuova repubblica degli Stati Uniti dell' America Settentrionale, per varie cause differita, ebbe luogo in Versailles il dì 3 del corrente tra il signor conte di Vergennes, monsignor vescovo d'Autun e me. Il signor conte di Vergennes lesse un' estratto del dispaccio del signor cavalier de la Luzerne³ ministro pleni-

³ Luzerne's letter is given in Document 7, note 1.

potenziario del re Cristianissimo presso la detta repubblica in data di Annapolis 31 Gennaio 1784, del quale si è poi compiaciuto darmi la copia, che unita al presente foglio ho l'onore di trasmettere all' Eminenza Vostra, affinchè si compiacia rilevare dalla medesima, che, quantunque il signor Franklin si fosse espresso, che credeva assolutamente inutile d'inviare al congresso la nota, che io gli diedi, non ha lasciato di farla pervenire al medesimo congresso, e che da questo si è ricevuta bene, e con rispetto la istanza del Santo Padre da me fatta per l'invio d'un vescovo, o d'un vicario apostolico, e che sarebbe benissimo ricevuto un vescovo nello stato di Pensylvania, e particolarmente in quello del Maryland, ove si trovano più cattolici; ma che il congresso non ha potuto prendere cognizione di quest' affare non essendo in alcuna maniera della sua ispezione.

Dopo aver partecipato quanto Vostra Eminenza si compiacque significarmi colla veneratissima sua lettera de' 27 Settembre 1783, e fatto osservare che a cotesta Sagra Congregazione, ed a me non era noto il numero de' cattolici esistenti negli Stati Uniti della repubblica americana, e perciò che non potevasi fissar quello de' missionarj, e degli alunni; ma che si credeva, che otto missionarj potranno per ora essere sufficienti, e che otto, o dieci alunni si potranno far studiare in Francia, e due o tre nel collegio di cotesta Sagra Congregazione, la quale penserà al mantenimento non solo di detti due o tre alunni, ma anche al vescovo *in partibus* vicario apostolico da inviarsi nel Maryland, si convenne unanimemente, che in sequela dell' esposto dal signor cavalier de la Luzerne, io senza perdimento di tempo gli trasmettessi una nota accompagnata da una mia lettera, e di altra mia lettera per uno de' missionarj, dimoranti in America, del tenore delle quì accluse copie, le quali lettere e nota, dopo averne fatta la comunicazione martedì della scorsa settimana, per andar d'accordo, al signor conte di Vergennes, questo regio ministro s'incaricò volentieri di raccomandare, ed inviare nel suo dispaccio al ripetuto signor cavaliere, ed in assenza di lui, che è per rivenire in Europa, a quell' incaricato degli affari di Sua Maestà Cristianissima, col paquebot, che dall' Oriente parte il martedì della terza settimana di ogni mese per l'America settentrionale, e che va, e ritorna nello spazio di soli tre mesi: il che potrà servire di regola, e lume a cotesta Sagra Congregazione, quando si risolva di scrivere, e mandare qualche lettera in quelle parti. Si parlò del luogo più proprio e conveniente per gli studj degli alunni, che, allorquando si saranno renduti idonei, dovranno passare in quella missione. Si rilevò, che ne' seminarj di Parigi altro non si studia, che la filosofia, l'una e l'altra legge, e la teologia, ma non la grammatica, l'umanità, le matematiche, e la retorica, che per queste vi sono de' collegi, ne' quali si paga certamente più, che in quelli di provincia, e che i seminarj delle missioni straniere, e du Saint Esprit di questa capitale per lo stesso motivo non potrebbero essere a proposito, qualora gli alunni non fossero già pratici della lingua latina in maniera di potersi subito occupare negli studj della

filosofia, legge e teologia. E Monsignor vescovo d'Autun propose che gli alunni, che si stimeranno necessarij, dopo aver ricevute le risposte d'America, si potrebbero inviare a Bordeaux, che, come l'Eminenza Vostra non ignora, è una grande, ricca, e popolata città vicina all'oceano, ove tra gli altri mercanti concorrono quelli dell' America settentrionale colle loro navi cariche di mercanzie, e quel monsignor arcivescovo di lui intimo amico potrebbe far collocare detti alunni in uno de' seminarj o collegi della medesima città, stimando, che la spesa annua ascenderà a circa mille lire per ogni alunno. Spero che dalla Santità di Nostro Signore, non meno che da cotesta Sacra Congregazione si gradirà non solamente quanto fu trattato nell' accennata sessione, e si è scritto dal Signor Cavalier de la Luzerne, ma altresì quanto io ho esposto nelle ripetute lettere e nota, giacchè queste son relative alle facoltà comunicatemi colla sopradette lettera, di Vostra Eminenza de' 27 Settembre 1783, ed alla favorevole informazione datami dal Signor Franklin, del merito, e credito del signor Carrol, Ex-Gesuita dello stato del Maryland inviato nel 1776 dal congresso nel Canada unitamente col signor Franklin e gli altri commissarj, qual soggetto, se a merito uguale venisse prescelto per vicario apostolico da destinarsi nel Maryland sarebbe assai gradito da molti membri del congresso, e particolarmente dal Signor Franklin che con premura me lo ha raccomandato. Quando l'Eminenza Vostra avrà osservato l'esposto, che in nome della Sagra Congregazione senza prendere verun impegno, e senza renderne avanti consapevole la medesima per guadagnare due mesi di tempo ho fatto, attenderò gli ulteriori ordini, che si dovranno da me eseguire, per ridurre al desiderato fine il presente affare, pel quale il signor conte di Vergennes, secondando le pie, e religiose intenzioni del re cristianissimo, prende il più grande interesse. Non tralascio di partecipare a Vostra Eminenza, che, trovandosi il signor Franklin incomodato dal male di pietra, ora per lui si rende il suo nipote in Versailles, ove perciò non avendo l'opportunità di vederlo, martedì passato fui a trovarlo nella sua casa di Passy, e lo resi inteso di quanto si era trattato nella enunciata sessione, e da me scritto al signor cavalier de la Luzerne, non senza ringraziarlo per l'attenzione obbligate che aveva avuta di prevenire il congresso, e pregarlo a voler i suoi buoni uffizj. Egli si mostrò di esserne infinitamente penetrato di riconoscenza, e contento, e mi assicurò che la sua repubblica gradirà al sammo, che due o tre sudditi suoi passino per alunni nel collegio di cotesta Sagra Congregazione in Roma, avendo un' alta idea, che le scienze vi s'insegnino all' ultima perfezione, e che in tal maniera si avranno soggetti abili pel bene della religione, e dello stato. E per fine, augurandomi la continuazione de' veneratissimi comandi dell' Eminenza Vostra passo a rassegnarmi col più rispettoso ossequio. . . .⁴

⁴ Pamphili wrote again to Antonelli on May 31, 1784, telling him that

Sources: *Prop. Arch., Scritture rif., America Centrale*, vol. II, ff. 258-260, in *AHR*, XV, 814-815.

Translated in *Records*, XXI, 207-211.

No. 11.

PROPAGANDA TO PAMPHILI

JUNE 9, 1784

Rome did not wait for the information which Pamphili hoped to gather from Luzerne and "one of the missionaries" in America, but ended all the proceedings by abruptly appointing Carroll "head of the missions in the provinces of the new Republic of the United States of North America".¹ Prior to Pamphili's letter of May 17, the Sacred Congregation had received the petition from the priests in America asking Propaganda to appoint John Lewis as their Superior.² Instead of Lewis, Propaganda selected John Carroll and evidently this selection was influenced by the wishes of Franklin and Congress "which deserves consideration for the protection expected upon occasion". The appointment of a Prefect-Apostolic was shortly to be superceded by the election of a bishop, a point which Pius VI had much at heart. The seminary proposi-

Vergennes had acknowledged the receipt of the letters which he had desired him to send to Luzerne:

Avend' io accompagnate con una mia lettera sotto il dì 12 Maggio diretta a signor conte di Vergennes quelle, che scrissi al signor cavalier de la Luzerne ministro plenipotenziario del re Cristianissimo presso gli stati della nuova republica americana, e ad uno di quei missionarj, e la nota, delle quali trasmisi copia a Vostra Eminenza sotto il dì 18 dello spirante, il nominato regio ministro si è compiaciuto di accusarmene la ricevuta, e la premura colla quale si è prestato a secondare la mia istanza, per mezzo di una sua lettera in data de' 25 Maggio, del tenore della quì acchiusa copia. Latrasmetto all' Eminenza Vostra persuaso, che gradirà di leggerla, ed unirla agli altri fogli, che riguardano lo stabilimento delle missioni nelle provincie della suddetta repubblica. E pieno del più rispettoso ossequio, mentre mi auguro l'onore de' suoi comanti pregiati, costantemente mi rassegnò. *Prop. Arch., Scritture rif., America Centrale*, vol. II, f. 266, in *AHR*, XV, 816. Translated in *Records*, XXI, 212-213.

¹ Document 12.

² Cf. pp. 14, 15, *supra*.

tion is not entirely settled and Pamphili is urged to have Talleyrand assume the burden of supporting the students. From now on, the Congregation resolved to obtain its information on conditions in America from those in a position to give it, namely, the missionaries themselves, and, for the present from the newly-appointed prefect-apostolic.

Summary: The subjoined letter to Mr. Carroll will show how promptly the Holy See has seconded the wishes of Franklin and other members of Congress to have Mr. Carroll placed at the head of the American mission.

Prior to your letter of May 17, the missionaries of Maryland and Pennsylvania requested that Mr. Lewis be placed in charge of the mission. In the petition, Mr. Carroll's name appears last, a fact that speaks in his favor and gives him preference over Lewis who is sixty-four years old. We do not know Carroll's age. Three points were shown to you in our letter of September 27, 1783. The first concerned the establishment of a bishop or a vicar-apostolic with episcopal character. His Holiness desires that this point be carried out as quickly as possible. Mr. Carroll, in the letter addressed to him, is asked for information concerning the amount necessary for the maintenance of a bishop in America. The Congregation, until now, has had no expenditures in that part of the world and, therefore, is in need of specific information. The usual stipend for bishops supported by Propaganda amounts to two or three hundred dollars (*scudi*) a year, at the most. Carroll might be selected as the incumbent for the office. His present position will reveal the conduct of the man and the satisfaction it gives to the people and to Congress, which deserves consideration for the protection expected upon occasion.

The second point referred to the scholarships in the Collegio Urbano. Mr. Carroll should send the two young men.

The third point had reference to the seminary in France. His Holiness is pleased with Talleyrand's suggestion to use one of the seminaries at Bordeaux. I am not clear regarding Talleyrand's proposal to assign a fund for the scholarships. The Congregation is unable to assume the burden and if the Bishop of Autun has not done so it would be well if you would renew your efforts to win him to the project.

Since Congress does not include Church affairs within its jurisdiction, this matter can be dealt directly with the American missionaries, and, for the present, with Mr. Carroll. Do not fail to convey to Vergennes and to Franklin the satisfaction of the Holy See in the entire matter; and likewise to Talleyrand at the conclusion of the question regarding the scholarships.

Dall' annessa lettera che Vostra Signoria favorirà di inviare al Signor Carroll, Ella intenderà con quanta prontezza siasi secondato da Sua Santità non meno che da questa Sacra Congregazione il desiderio mostrato dal signor Franklin, anche per parte di molti membri del congresso d'incaricare detto Carroll della superiorità delle missioni nelle provincie della nuova repubblica degli Stati Uniti dell' America settentrionale, togliendole così dalla dipendenza del Vicario Apostolico di Londra, al quale da prima erano state delegate.

Precedentemente all' ultimo dispaccio di Vostra Signoria de' 17 del passato Maggio, erano giunte a questa Sacra Congregazione a nome dei missionari della Marylandia e Pensylvania alcune carte, le quali ne informavano del presente stato di quelle cristianità, e richiedevano, che se ne desse la cura al signor Lewis,³ cioè a quel medesimo soggetto, al quale dal suddetto Vicario Apostolico di Londra era stata affidata. Dalle copie di dette carte, che rimetto a Vostra Signoria, ella vedrà che tra i soggetti postulanti il Lewis per superiore è notato in ultimo luogo anche il Carroll. Quest' atto ne fa vedere, che il Carroll non ha cooperato all' impegno, che si è per lui affacciato dal signor Franklin, e per conseguenza ha pur giovato a dargli la prelazione sopra il Lewis, il quale contando ormai anni 64, come si nota nelle medesime carte, par che si meriti riposo. Per l'impianto di un nuovo sistema di missioni, richiedesi non solo l'esperienza, ma anche età robusta per operare ed agire. Non ci è nota l'età del Carroll, ma può ben credersi molto più vegeta di quella del Lewis, da che nella supplica è notato per ultimo. Tre poi furono i punti affacciati nel progetto, che con nostro dispaccio de' 27 Settembre 1783 le fu comunicato. Il primo era quello di stabilire negli stati della nuova repubblica Americana un vescovo o Vicario Apostolico insignito di carattere vescovile. Questo punto sta assai a cuore di Sua Santità, e vuole che si maturi al più presto. Si disse, che la Sacra Congregazione avrebbe anche supplito con assegnamento

³ John Lewis was born in Northamptonshire, England, September 19, 1721. He entered the Society of Jesus in 1740, and came to Maryland in 1758. At the time of the Suppression of the Society (1773), Lewis was Superior of the Mission and acted as Vicar-General of the London Vicar-Apostolic during the War of Independence. On account of his advanced age, Propaganda refrained from appointing him Prefect-Apostolic in 1784. He died in 1788. Cf. Guilday, *Carroll*, 303.

del suo erario per questo vescovo o vicario apostolico. Dalla lettera, che si scrive al Signor Carrol Ella vedrà, che con qualche delicatezza gli si domanda notizia dei fondi, che vi possono essere in America addetti a quelle missioni, non già che si ricusi di supplire, ma per scandagliare su di quanto dovrà cadere questo supplemento, tanto più che si rimane ancora al bujo del quanto possa importare la sussistenza di un vescovo o Vicario Apostolico in America. Per quella parte di mondo la Sacra Congregazione non ha finora avuto carico di spesa sopra il suo erario, e per conseguenza è d'uopo di aver delle notizie peculiari per regolarsi, le quali niuno meglio di Vostra Signoria, che con tanto zelo e destrezza ha maneggiato tutto l'affare, saprà fornircele. Gli stipendj consueti dei vescovi, e vicarj apostolici, che si mantengono dalla Sacra Congregazione nell' altre tre parti di mondo, sono di scudi 200 o 300 annui al più, oltre quegli incerti che anche nelle terre più barbare soglionsi ritrarre da chi in qualità di pastore ne sostiene tutto il peso. Fissato il piano del supplemento per il mantenimento del Vescovo o Vicario Apostolico, rimarrà l'altro di maturarne la scelta. Questa potrebbe cadere nel signor Carrol, quante volte sia fornito dei necessarij requisiti, e per questi pure è d'uopo che Ella prenda lume per nostra regola. Intanto la superiorità appoggiatagli ne farà vedere la condotta dell' uomo, ed il gradimento di questa presso dei cattolici non solo, ma anche presso il congresso, il quale sebbene saviamente pensi a non mischiarsi negli affari della nostra santa religione, pure merita, ed esigge tutte le possibili considerazioni, per la protezione che dal congresso medesimo deve attendersi nei casi contingibili. Dilucidati pertanto questi due punti, si verrà alla destinazione del vescovo, o vicario apostolico, come si crederà meglio per il bene di quelle cristianità.

Il secondo punto fu l'esibizione degli alunnati nel nostro collegio Urbano; e non abbisognando questo punto di altre indagini, si scrive al signor Carrol, che mandi per ora due giovani per educarvi. Con questa missione il nostro collegio si glorierà in Domino di prestarsi all'educazione della gioventù di tutte e quattro le parti del mondo. Si motiva soltanto a detto Carrol di fare un piano delle spese, che occorreranno per i viaggi, e questo piano servirà di norma per il tratto avvenire.

Finalmente il terzo punto era di provvedere all' educazione anche più estesa di operaj evangelici, con procurare dalla generosa pietà di Sua Maestà Cristianissima ricovero in qualche seminario di Francia ad un maggior numero di giovani Americani. Il progetto, che sopra di questo le ha fatto Monsignor Vescovo di Autun, cioè di prevalersi di alcuno dei seminarj, che sono in Bordeaux, città vicina all' Oceano, e commerciante coll' America Settentrionale, è bellissimo, ed è assai piaciuto a Sua Santità. Una sola cosa non si è ben capita dal dispaccio di Vostra Signoria, ed è se Mgr d'Autun abbia inteso nel fattole progetto di assegnare un qualche fondo per la sussistenza di questo alunnato, che si richiedeva per otto o dieci giovani Americani. Quando

la cosa sia così, i voti del Santo Padre sono compiti; in caso differente, non potendo la Sacra Congregazione gravarsi anche di questa spesa, converrà che Vostra Signoria faccia nuovo tentativo per riuscire nell'affare, agevolando sul numero dei giovani a misura delle offerte, cosicchè se non si volessero otto, o dieci, almeno se ne ricevessero per ora quattro o sei da sostentarsi con qualche pensione, o fondo ecclesiastico da assegnarsi dalla liberalità di codesto Cristianissimo Monarca. È troppo necessario di aver su di ciò qualche ulterior schiarimento per nostra quiete e governo.

Nel resto Sua Santità e la Sacra Congregazione hanno assai commendata la diligenza e zelo di Vostra Signoria in tutto il maneggio di questo importante affare; e siccome il congresso ben vede non essere della sua ispezione le cose di chiesa, così; salvo il punto dei giovani, che si vuol sperare saranno ricevuti dei seminarj di Bordeaux, e per il quale Vostra Signoria potrà continuare il negoziato con Monsignor d'Autun, o chiunque altro ne potrà agevolare l'ultimazione, si è risoluto di trattare degli affari per lettere in dirittura con i medesimi missionarj Americani, ed ora col signor Carrol, che se n'è costituito capo. Non lascerà poi Vostra Signoria di contestare al signor conte di Vergennes, come anche al signor Franklin la compiacenza del Santo Padre, e di questa Sacra Congregazione in tutto l'affare, e lo stesso pratticherà anche con monsignor d'Autun, quante volte si venga a conclusione dell'alunnato in Bordeaux, mentre raffermandole le grandi nostre obbligazioni, di vero cuore me le offro, e resto.

Sources: *Prop. Arch., Lettere*, vol. 244, f. 487, in *AHR*, XV, 817-819.

Translated in *Records*, XXI, 213-217.

No. 12.

PROPAGANDA TO CARROLL

JUNE 9, 1784

It had taken a year and a half for the Congregation to issue the letter constituting John Carroll Prefect-Apostolic of the United States. "It is strange", Shea says, "so much effort was required, and so many difficulties prevented the Catholic body in the United States with their ancient churches, and regular succession of priests, from obtaining a concession which had through the influence of Spain been granted to Dr. Camps for his little flock in Florida, to the Superior of the Franciscans in New Mexico, and about this very time to the Superiors of the same order in Texas

and California".¹ However, the appointment followed quickly once the French project was dropped. The Secretary of the Congregation, Stephen Borgia, in an audience of June 6, with Pius VI, presented the pontiff with a report on the Church in the United States and His Holiness granted Carroll the faculty of administering the Sacrament of Confirmation. The Congregation,² after hearing the Secretary's report of the audience, issued the decree constituting Carroll Superior of the Church in the United States. The letter announcing his appointment was sent to the Prefect-Apostolic through the Papal Nuncio in Paris.

Summary: In order to preserve and defend Catholicity in the United States, Pius VI and Propaganda have thought it extremely proper to appoint an ecclesiastical superior, who would be independent of all except the Sacred Congregation. This post would have been given to John Lewis if it had not been for his advanced age and his many labors. Since Carroll's appointment to this office will please many in America, and especially Franklin, Propaganda has appointed him Superior of the Missions in the United States and given him the necessary faculties. All of these faculties,

¹ Shea I, 223.

² The following is Shea's translation of the decree and the audience:

The Sacred Congregation on the report of the Rev. Stephen Borgia, its Secretary, declared Superior of the missions in the thirteen United States of North America, the Rev. John Carroll, secular priest, with authority to exercise the functions which regard the government of the missions, according to the tenor of the decrees of the Sacred Congregation, and of the faculties granted to him, and not otherwise, nor in a different manner.

Given at Rome the 9th day of June, 1784.

S. Borgia.

L. Cardinal Antonelli, Prefect.

Audience of the Most Holy Father, held June 6, 1784.

Our Most Holy Father, by Divine Providence, Pope Pius VI, on the report of the undersigned, secretary of the Sacred Congregation de Propaganda Fide, granted to the Rev. John Carroll, Superior of the Mission in the thirteen United States of North America, the faculty of administering the sacrament of Confirmation, in the said provinces during his superiorship—the said faculty to be exercised in accordance with the rules prescribed in the instruction published by order of the Congregation on the 4th of May, 1784.

Given at Rome in the house of the Congregation, on the day and year above named. Shea II, 224.

except that of administering Confirmation are likewise given to the other American priests.

These arrangements are only temporary. His Holiness intends in the near future to appoint a vicar-apostolic with the title and character of bishop. This important step, however, necessitates a better knowledge of the state of religion in the United States. Therefore, you should send us, as soon as possible, a report on the Mission, giving the number of Catholics, their condition, piety, and possible laxities; likewise, the number of priests and their qualifications, zeal and mode of support. In the meantime, it has been resolved to have two youths from Pennsylvania and Maryland educated at the Urban College at the expense of Propaganda. You should select the students and send them. They should be promising boys and healthy, and should be not less than twelve and no more than fifteen year of age. Address them to the Nuncio in Paris. The Congregation will defray the expenses of their voyage if they are unable to do so themselves. Propaganda wishes a frank statement as to what the travelling expenses will amount to; this will serve as a rule for the future.

D. Joanni Carroll presbytero missionario in tredecim Confoederatae Americae septentrionalis provinciis.

9 Junii 1784.

(1) Ad censervandam, tuendamque in tredecim istis confoederatae Americae septentrionalis provinciis rem catholicam, plurime expedire putavit Summus Ecclesiae Pontifex Pius PP. VI et Sacra haec Congregatio de Propaganda fide proprium pastorem designare, qui spiritualibus catholici istius gregis necessitatibus stabiliter, atque independenter a qualibet alia ecclesiastica potestate, praeterquam ab eaden sacra Congregatione, prospiciat. In hujusmodi autem designando pastore lubenter quidem Sacra Congregatio in D. Joannem Lowis inieciisset oculos, nisi longaeva ipsius aetas, et exantlati jamdudum in vinea Domini labores, a novo, eoque gravissimo onere ipsi inferendo detererent; potius enim ipse quietis, quam oneris ac laboris egere videtur. Cum ergo praeclara de pietate ac studio Dominationis Tuae habita sint documenta, simulque innotuerit, electionem tuam pluribus istius reipublicae membris, ac potissimum praestanti viro D. Franklinio eiusdem reipublicae oratori apud Regem Christianissimum gratam, acceptamque futuram; Sacra Congregatio, approbante Sanctissimo Domino Nostro, te in superiorem missionis tredecim Confoederatae Americae septentrionalis provinciarum constituit, ac deputavit, et facultatibus quae ad

huiusmodi munus obeundum necessariae sunt, communicabiles etiam aliis presbyteris earundem provinciarum, praeter administrationem confirmationis, quae tibi uni reservatur, communivit, quemadmodum ex insertis documentis perspicies. Hae interim data providentia. Mox enim ea Sanctitatis Suae mens est, et consilium, ut vicarium apostolicum titulo et caractere insignitum pro istis provinciis decernat, qui sacris ordinationibus, aliisque episcopalibus muniis opportune provideat, sed ad huiusmodi perficiendum opus plurimi interest, ut de statu orthodoxae religionis in tredecim istis provinciis doceamur. Quare Dominationem Tuam rogamus, ut accuratam de eodem statu relationem nobis mittendam quantocius cures, diligenter declarans, qui fere sit in singulis provinciis catholicorum numerus, conditio, pietas, abusus; tum etiam quot nunc presbyterii missionarii in ista Domini vinea adlaborent (admaborent), quae sint eorum qualitates et studia, qui se sustendandi modus. Licet enim Sacra Congregatio in temporalibus immiscere se nolit, plurimum tamen refert ad constabiliendos operarios, ut ecclesiastici redditus, si qui sunt (esse autem aliqui putantur) nobis innotescant. Interea ne deficientibus missionariis, spiritualibus praesidiis catholici careant, statutum est, juvenes duos ex provinciis Marylandiae, et Pennsylvaniae huc acciri in Collegio Urbano sumptibus Sacrae Congregationis (2) sedulo educandos, qui in patriam deinde reversuri possint in missione subrogari. Eorum tum electio, tum missio sollicitudini et curae Dominationis tuae commissa est. Tuum autem erit eos seligere, qui acriori ingenio, firmaque valetudine sint praediti, vix minus annorum duodecim aetate, nec quindecim excedentes, qui in via sanctuarii proficientes praeclaram de se expectationem praeberere possint. Eos autem dirigere poterit Dominatio Tua ad egregium Praesulem Archiepiscopum Seleucia Nuntium Apostolicum Parisiensem, qui de huiusmodi expeditione instructus est. Si lecti juvenes itineris impensis impares fuerint, Sacra Congregatio de viatico providebit, imo optatur, ut Dominatio tua de sumptibus ad perficiendum iter necessariis ingenue, diligenterque nos instruas, ut pro futuris etiam temporibus norma sit. Haec interim Dominationi tuae significanda habui, ac dum fore confido, ut concreditum tibi munus omni studio, sollicitudine, et fide geras, ac praeclarae, quam de te habuimus, opinioni, satis superque respondeas, Deum precor ut fausta tibi omnia et pacata concedat.

Sources: *Prop. Arch., Lettere*, vol. 244, f. 492, from the Guilday Transcripts. The original is in the *Baltimore Cathedral Archives, Letter Books*, vol. II.

Translated in Shea II, 243-245.

No. 13.

MEMORANDUM OF PROPAGANDA ON THE AMERICAN MISSIONS

JUNE 9, 1784

The following memorandum respecting Catholic missions in the United States was written on the same day Carroll was appointed prefect-apostolic. It gives a very short summary of the history of the American mission since its founding in 1634, and was composed for the benefit of the Cardinals of the Congregation. A copy of the document was sent to Pamphili in Paris.

Summary: The Catholic Mission in North America was founded before 1640 by English Jesuits, who cultivated it with great labor at their own expense, beginning at first on the seacoast of Maryland; later they extended it to the interior of Maryland and also into Virginia and Pennsylvania with great increase of the Faith. Though harrassed by many vexations, they persevered in their work in these regions until the suppression of the Society in 1773—all the missionaries being Jesuits. Since no other priests could be had to aid the mission, then in extreme peril, the same missionaries, with the approbation of the London Vicar-Apostolic, held their stations and persevered and still persevere. Reduced in number, and of these some broken in health and aged, they invited American-born priests, living in England and elsewhere, to aid them. The number of laborers now is scarcely over twenty; but when ecclesiastical jurisdiction is once established, other priests will more easily join them. Liberty of conscience being granted there, the Catholic Faith is daily increasing; furthermore, many Catholic families from the East are preparing to join the new settlements along the Mississippi. These families earnestly desire a priest to accompany them and remain with them.

Missio catholica in regionibus Americae Septentrionalis tunc subiectis domino Magnae Britanniae ante annum 1640 regnante Carolo I. incepta et fundata fuit a presbyteris Societatis Jesu provinciae Anglicanae, qui hanc propriis expensis, multis magnisque laboribus exco-luerunt primo in ora maritima Marilandiae, mox dilatarunt in partes interiores et remotissimas eiusdem provinciae, et etiam hinc inde in

Pensylvaniam et Virginiam, magno ubique fidei et religionis incremento. Idem, successoresque illorum ex eadem Societate et provincia inter varias frequentesque vexationes constanter perseverarunt in dilatanda catholica fide per praedictas regiones, et in procuranda ubique incolarum salute donec sub finem anni 1773 autoritate Congregationis de Propaganda fide indicatum illis est Breve suppressionis Societatis Jesu, cuius omnes missionarii erant socii. Verum cum nec alii sacerdotes eujuscumque Instituti praesto essent, nec aliunde adscribi poterant, qui huic missioni tunc in extremis periclitanti subvenirent, iidem missionarii licet jam a fratrum suorum auxilio, et religiosis legibus dejecti, ne fideles in longe dissitis regionibus sparsos, et inter molestias belli quotidie ubique recrudescentis, omni ope spirituali destitutos desererent, approbati denuo, et laudati a Vicario Apostolico Londinensi singuli stationes tenuerunt, eodemque zelo et industria vineam Domini excolere perseverarunt inter varia discrimina, et etiamnum perseverant. Coeterum ad paucos redacti, eosque partim laboribus fractos, partim annis provectos, invitarunt in messem illos praecipue sacerdotes, qui nati in America septentrionali, modo in Anglia aut alibi degebant. Numerus eorum, qui nunc laborant in hac missione, vix supra viginti ascendit, sed stabilita[ta] propria jurisdictione ecclesiastica plures idonei sacerdotes facilius aggregabuntur. Concessa enim et per reipublicae leges confirmata libertate conscientiae, catholica fides tandem hic respirare videtur, numerusque fidelium ubique in dies accrescit: quinimmo plures familiae catholicae modo se accingunt ad demigrandum ex locis, in quibus frequentiores sunt incolae, et ad colonias deducendas in apertos fertilissimosque terrarum tractus, qui flumini Mississippi adjacent et reipublicae Americanae dominium agnoscunt: hae enim omnes familiae sacerdotes catholicos enixe efflagitant, qui se comitentur ad novas sedes, ibique secum commorentur.

Sources: *Prop. Arch.. Scritture rif., America Centrale*, vol. II, f. 268, in *AHR*, XV, 819.

Translated in *Records*, XXI, 218-219.

No. 14.

PROPAGANDA TO CARROLL

JUNE 16, 1784

In the petition sent to the Holy See by order of the Chapter held at Whitmarsh on November 6, 1763, the Committee had asked that the Jubilee of 1775 be extended to the United States since

the faithful here had not the opportunity to benefit by it at the time.¹ His Holiness, Pius VI, graciously granted this request.

Summary: That the faithful in America, tried by the calamities of war, may share in the treasures of heaven, His Holiness (Pius VI) has extended to all Catholics in the United States, the great Jubilee of 1775 to last for one year. You shall, therefore, make known this apostolic concession, so that all Catholics may draw from the treasury of the Church and may confidently hope in divine aid.

*Domino Joanni Caroll Superiori missionum in tredecim confederatae Americae septentrionalis provinciis.*²

16 Junii 1784.

Ut fidelibus istis bellorum calamitatibus diu vexatis divinae misericordiae jam pateant uberrimi fontes, et coelestibus iidem thesauris participes fiant, Sanctissimus Dominus Noster Pius Papa VI votis indulgens missionariorum, benigne extendit, ac dimanavit in omnes et singulos utriusque sexus catholicos in tredecim confederatae Americae septentrionalis provinciis commorantes, qui injuncta opera juxta insertum documentum impleverint, jubilaum magnum anni salutis 1775 unius anni spatio duraturum, et computandum a die, quo praesentes literae ad Dominationem Tuam pervenerint. Tuum itaque erit Apostolicam hanc concessionem in praefatis provinciis per alios operarios indicere, ac promulgare, ut catholici omnes de tanto Ecclesiae thesauro proficiant, et refervescente charitate ad magnam divini auxilii spem erigantur. Interim Dominationi Tuae longaeavam a Deo cum omni bonorum copia incolumitatem.

Sources: *Prop. Arch., Lettere*, vol. 244, f. 508, in *AHR*, XV, 820.

Translated in *Records*, XXI, 218-219.

¹ Cf. p. 15.

² This letter was sent to Carroll through Barbé de Marbois, French Chargé d'affaires at New York, and reached Carroll on November 8, 1784. The jubilee was published by Carroll on January 12, 1785: "The commencement of this grant is to date from November 28, 1784, and is to be in force till November 28, 1785". Draft of a Circular in *Baltimore Cathedral Archives*, Case 9A-FI.

No. 15.

PROPAGANDA TO BISHOP TALBOT OF LONDON

JUNE 19, 1784

The Vicars-Apostolic of London had attempted time and again to free themselves from the burden of the American Colonies. Bishop Petre had tried to have a vicar-apostolic appointed in the Colonies as early as 1743. His successor, Bishop Challoner was likewise anxious to have an American bishop or vicar-apostolic appointed, but without success. Bishop Talbot, even refused to give faculties to two American priests, Fathers John Boone and Henry Pile in 1781, declaring that he would exercise no jurisdiction in the United States.¹ Propaganda, in the following letter announced to Bishop Talbot that henceforth his jurisdiction over the United States had come to an end.

Summary: Since the American Government has forbidden its Catholic subjects to have foreign vicars-apostolic as their superiors, and since the missionaries there have petitioned the Holy See to provide for their spiritual needs, Propaganda has, therefore, appointed John Carroll as Superior of that Mission giving him all necessary faculties. His Holiness furthermore purposes shortly to appoint a bishop or vicar-apostolic for those regions that the faithful there may have all the offices of religion requiring episcopal authority. I hasten, therefore, to communicate this to your Lordship.

Domino Jacobo Talbot Episcopo Birthingano, Vicario Apostolico in regno Angliae. Londinum.

19 Junii 1784.

Cum catholici in tredecim confederatae Americae septentrionalis provincii commorantes ab illius reipublicae magistratibus vetiti fuerint, ne vicarios apostolicos in alieno dominio existentes habeant amplius superiores; cumque ad conservandam ibidem religionem missionarii petierint, ut spiritualibus eorundem necessitatibus Sancta Sedes consuleret, Sacra haec Congregatio de Propaganda Fide, approbante Sanctissimo Domino Nostro Pio Papa VI, superiorem illius missionis constituit Dominum Joannem Carroll virum probatae pietatis, ac studii,

¹ Cf. p. 13.

cumque facultatibus necessariis, et opportunis independenter a qualibet alia ecclesiastica potestate, praeterquam a Sacra Congregatione, communivit. Quin imo ea Sanctitatis Suae mens est, atque consilium, ut in iis provinciis episcopum, seu vicarium apostolicum episcopali titulo et characterе decoratum mox decernat, qui ea omnia, quae postulant episcopale munus, fidelibus illis valeat administrare. De his igitur Amplitudinem Vestram, cui antea commissa fuerat spiritualis eorundem catholicorum cura, certiorē facere non praetermitto; nec dubitans, quin hujusmodi Sacrae Congregationis providentia, utpote ad bonum religionis valde conducens, pergrata quoque Amplitudini Vestrae sit futura, Deum precor, ut eam diutissime servet, ac sospitet.

Sources: *Prop. Arch., Lettere*, vol. 244, f. 524, in *AHR*, XV, 820.

Translated in *Records*, XXI, 219-220.

No. 16.

PROPAGANDA TO PAMPHILI

JUNE 30, 1784

Pamphili had written to Antonelli on May 31, 1784, concerning the letters which he had sent to Luzerne.¹ Antonelli in acknowledging the letter directs the nuncio to be careful to thank Vergennes and Luzerne for their assistance in establishing missions in the United States. The only question that remained unsolved was the one concerning the scholarships at Bordeaux.

Summary: I have received your prompt information concerning the happy results of Luzerne's assistance in the United States. I have already begged you to thank Vergennes for the efficiency he showed in establishing these missions. You will also be able to thank Luzerne for his offices. Direct communications, having been established with Mr. Carroll, the affair will gradually be smoothed out. The only point awaiting solution concerns Talleyrand's consent to assign a fixed income to the scholarships in one of the seminaries of Bordeaux; Propaganda is unable to accept the burden, while the scholarships here and the support of the American prelate will be of considerable weight.

¹ Cf. Document 10, note 3.

A Monsignor Arcivescovo di Seleucia Nunzio Apostolico in Parigi.

30 Giugno 1784.

Debbo alla conosciuta diligenza di Vostra Signoria la pronta partecipazione del felice risultato degli affari fatti agli Stati Uniti di America dal signor cavalier de la Luzerne ministro di codesta corte presso dei medesimi stati. Io già pregai Vostra Signoria di ringraziare, anche in nome di Sua Santità, codesto benemerito Signor Conte di Vergennes per l'efficacia, colla quale si è prestato a dar mano al ristabilimento di quelle missioni. In vista della favorevole risposta del cavaliere suddetto potrà Ella replicare anche questi uffizi. Intanto essendosi intrapreso carteggio in dirittura col signor Carroll, costituito superiore di quelle missioni, si anderanno spianando le altre cose senza recare per questo conto ulterior fastidio ed incomodo a codesto ministro. Solo, come se le scrissi, si attendeva schiarimento da Monsignor di Autun sul punto dell' alunnato in uno dei seminarj di Bordeaux, cioè se il Prelato consentiva di applicare a questo alunnato qualche rendita fissa, senza della quale la Sacra Congregazione non è al caso di subirne il peso, e non sarà poco quello degli alunnati offerti in questo collegio, e del supplemento per il mantenimento del vescovo, o vicario apostolico in America.

Sources: *Prop. Arch., Lettere*, vol. 244, f. 541, in *AHR*, XV, 820-821.

Translated in *Records*, XXI, 220.

No. 17.

PAMPHILI TO PROPAGANDA

JULY 5, 1784

This letter is an answer to Antonelli's communication of June 9,¹ announcing Carroll's appointment to the Prefecture-Apostolic. Vergennes and especially Franklin were well pleased with the appointment and Franklin would have been more pleased had his friend been made bishop. The project of educating missionaries for the United States had been taken care of by Pamphili, who reports that the King (Louis XVI) would defray the expenses of the eight or nine students destined for the Bordeaux seminary.

Summary: I did not communicate to Vergennes the contents of your letter of June 9, concerning the United States, but told him

¹ Document 11.

on Tuesday that the Congregation had chosen Mr. Carroll as the superior of those missions and was sending him all the necessary faculties and instructions, postponing his election as vicar-apostolic until his ability has been proven and until information has been received from Luzerne. Vergennes and Franklin were well pleased with the information. Franklin would have preferred to see Carroll elected bishop, assuring me that Congress will be pleased with such a consummation and will not oppose his consecration in Canada. I mentioned nothing to Franklin of the financial considerations of the matter. I did ask him how much it would cost to bring two young men from America to France; he answered that it would not be more than 70 or 80 *louis d'or*. Regarding the eight or ten students destined for the seminary at Bordeaux, the King will defray their expenses; but Talleyrand is uncertain as to whether he will establish a fixed fund or not. You will see that the matter is well under way and nothing is wanting except the information from Luzerne.

Emin. e Revmo Sig. Sig. Padrone colendissimo.
(Sig. Cardinale Antonelli, Prefetto della
S. C. di Propaganda fide—Roma.)

Senza comunicare la veneratissima lettera, che Vostra Eminenza si compiacque scrivermi sotto il dì 9 dello scorso mese, relativamente all' affare delle missioni nelle provincie della nuova repubblica degli Stati Uniti dell' America settentrionale, al signor conte di Vergennes martedì io stesso dissi, che cotesta Sacra Congregazione di Propaganda fide coll' oracolo del Santo Padre veniva di prescegliere per superiore di quelle missioni il Signor Carroll e che a quest' effetto gl' inviava con una lettera di officio tutte le facoltà, ed istruzioni necessaire, riservandosi di eleggerlo vicario apostolico col carattere vescovile, quando si saranno avute le prove della di lui abilità, e capacità, e le notizie dimandate al signor cavalier de la Luzerne ministro plenipotenziario del re cristianissimo presso gli stati della suddetta repubblica, il quale tra pochi giorni sarà di ritorno in Francia. Tanto il signor conte di Vergennes, che si incaricò di far pervenire nel suo piego quello dell' Eminenza Vostra con una mia lettera al signor Carroll, quanto il signor Franklin si mostrarono di tutto ciò infinitamente contenti, e m'imposero di renderlene distinte grazie. Il signor Franklin per altro avrebbe di più desiderato che già il signor Carroll fosse eletto vescovo, assicurandomi, che il congresso americano ne avrà sommo piacere, e che non si opposerà, che il signor Carroll si renda nel Canadà per farsi consagrar vescovo da monsignor vescovo di Quebec, come un luogo il più vicino, e non di tanto incomodo, e dispendioso, come sarebbe, se dovesse per la

sua consacrazione venire in Francia o trasferirsi nell' isola di S. Domingue. Per non far credere al signor Franklin, che per motivo d'interesse, cioè per non saper quanto possa importare la sussistenza di un vescovo, o Vicario Apostolico col carattere vescovile il signor Carroll, mi astenni di fare su di ciò alcun discorso. Domandai bensì al signor Franklin quanto all' incirca sarebbe stata la spesa per far venire due giovani dall' America in Francia; ed egli mi rispose che, non essendone ancor regolato il passaggio, non poteva darmene una positiva notizia, ma che tale spesa non dovrebbe esser' maggiore di 70 o 80 luigi d'oro, che vale a dire di 1680 o 1920 lire tornesi. Rispetto poi agli otto o dieci giovani americani, che, come mi diedi l'onore di avvisare a Vostra Eminenza colla mia lettera de' 17 Maggio Monsignor vescovo d'Autun propose di collocare in uno de' seminarii di Bordeaux per farvi gli studi necessarii e divenire abili missionarij, la spesa occorrente si assegnerà, e fornirà dal re cristianissimo, che ha sommamente a cuore di ben provvedere quelle missioni di soggetti capaci; ma monsignor vescovo d'Autun non è ancor determinato, se per tale spesa si destinerà un fondo o si darà ogni anno una somma di denaro occorrente per otto, dieci o più alunni seconde il bisogno; e perciò mi restrinsi a dire che: "due o tre alunni si potranno far studiare nel collegio di cotesta Sacra Congregazione, la quale penserà al mantenimento non solo di detti due o tre alunni, ma anche del vescovo *in partibus* vicario apostolico da inviarsi nel Maryland". L'Eminenza Vostra riconoscerà pertanto, che l'affare è incamminato a maraviglia bene, e che, per ultimarlo, altro non resta, che ricevere le notizie dimandate in America, e che probabilmente verranno fornite dal signor cavalier de la Luzerne. Che è quanto mi occorre di parteciparle, mentre con tutto l'ossequio, mi pregio di essere.

Sources: *Prop. Arch., Scritture rif., America Centrale*, vol. II, f. 272, in *AHR*, XV, 821.

Translated in *Records*, XXI, 220-221.

No. 18.

PROPAGANDA TO PAMPHILI

JULY 31, 1784

Antonelli, in answering the foregoing letter, tells the papal nuncio that Pius VI was well pleased with his work in helping to establish the American prefecture-apostolic. At the same time, he was anxious that Pamphili should assure Franklin of Carroll's eventually being raised to the episcopate. Before this could be accomplished Propaganda had to have information as to whether a bishop could be supported in the newly-founded Republic.

Summary: Your wisdom has so well conducted the matter of establishing missions in the United States that His Holiness, to whom full relation of all has been made, has been much pleased and has praised you highly especially in the matter concerning the education of the American students. The pope wishes you to thank Talleyrand officially. You might mention to him the matter of having a fixed fund. You may assure Franklin that Mr. Carroll will be invested with the episcopal character. We shall expect the two Americans intended for our college and you may inform Mr. Carroll that Propaganda will be responsible for reimbursement of the expenses.

A Monsignor Arcivescovo di Seleucia Nunzio Apostolico. Parigi.

31 Luglio 1784.

La nota saviezza di Vostra Signoria ha così bene portato l'affare del felicemente incominciato ristabilimento delle missioni nelle provincie della nuova repubblica degli Stati Uniti dell' America settentrionale, che la Santità di Nostro Signore, alla quale se ne è fatta piena relazione, non solo ne è rimasta assai contenta, ma le ne ha data ancora molta lode, e specialmente per la fissata educazione in uno dei seminarii di Bordeaux di otto o dieci giovani Americani da mantenersi dalla liberalità di Sua Maesta Cristianissima. Brama pertanto Sua Santità, che Vostra Signoria si compiaccia di passarne al più presto ufizio speciale di ringraziamento a Monsignor Vescovo d'Autun, al dipartimento del quale si appartiene la Materia. Con questa occasione vegga, se lo crede espediente, di far gustare a detto Prelato che lo stabilimento di un fondo fisso sarà sempre più spedita e meno soggetta a variazioni. Si è poi Vostra Signoria egregiamente diportata nella partecipazione fatta al signor conte di Vergennes, ed al Signor Franklin della scelta del nuovo superiore delle suddette missioni in persona del Signor Carroll. Non dubiti il signor Franklin che dal canto nostro si solleciterà d'insignirlo del carattere vescovile subito, che il detto Signor Carroll ci averà ragguagliato dello stato della cattolica religione in quelle provincie, e del sistema da darsi alle cose. Intanto si attenderanno i due giovani Americani richiesti per questo nostro collegio, e Vostra Signoria che è in carteggio col signor Carroll, potrà sollecitare la trasmissione, e farsi a nome nostro carico del rimborso della spesa per il loro viaggio. Che è quante mi occorre di doverle significare e raffermandole le grandi nostre obbligazioni, di vero cuore me le offro, e resto.

Sources: *Prop. Arch., Lettere*, vol. 244, f. 624, in *AHR*, XV, 822.

Translated in *Records*, XXI, 222-223.

No. 19.

PAMPHILI TO PROPAGANDA

AUGUST 23, 1784

Pamphili was not very optimistic regarding Talleyrand's offering a fixed sum for the education of the American students at Bordeaux and he informed Antonelli that the Government was unwilling to lavish such a favor upon a Republic that might not even continue grateful for the many favors already shown.

Summary: I am greatly consoled that His Holiness was pleased with the course I have followed concerning the matter of the United States. I shall forthwith send an official letter of thanks to the Bishop of Autun; I do not think that he will be willing to establish a fixed fund, for the new Republic may not continue grateful for the favors shown her by France and changes may occur similar to those in Canada. We must be content with what we have. I shall inform Franklin that the Congregation will hasten the consecration of Mr. Carroll, and that you await with pleasure the arrival of the two young Americans.

Franklin has sent me a copy of the instructions he had from Congress and I am sending them to you. The Holy See will doubtless be pleased at the respectful sentiments of Congress and the Federal Government's declaration that the affair, since it refers to purely spiritual matters, is foreign to its jurisdiction, that power being reserved to each state individually.

Emin. e Revmo Signore, Signore, Padrone Colendissimo.

(Sig. Card. Antonelli, prefetto della

S. Cong. de propaganda fide, Roma.)

Puo essere Vostra Eminenza ben persuasa della consolazione, che mi deriva dal rilevare dalla veneratissima sua lettera de' 31 Luglio che il Santo Padre siasi degnato di restare assai contento della maniera da me tenuta per ridurre al bramato termine l'affare dello stabilimento delle missioni nelle provincie della nuova repubblica degli Stati Uniti dell' America settentrionale, e specialmente per la fissata educazione in uno de' seminarj di Bordeaux di otto o dieci giovani Americani da mantenersi dalla liberalità del re cristianissimo. Quanto prima eseguirò l'ordine, che in nome di Sua Santità l'Eminenza Vostra si è compiaciuta darmi, di passare uffizio di speciale ringraziamento a Monsignor Vescovo d'Autun per la parte, che prende pel collocamento degli

accennati giovani Americani; ma non mi lusingo, che si presti a stabilire un fondo fisso, perchè è incerto, che la Repubblica Americana col tempo continui ad esser grata per i segnalati servigi, e favori, che le ha renduti la Francia,¹ e che non accadono delle rivoluzioni simili a quella del Canada. Convien gradire e contentarsi di quel, che si può ottenere, e per l'avvenire rimettersi a quel, che piacerà a Dio di disporre.

Al signor Franklin parteciperò che la Sagra Congregazione de Propaganda Fide è infinitamente propensa di sollecitare dal canto suo, perchè il signor Carroll sia insignito del carattere vescovile, subito che lo stesso signor Carroll avrà dato ragguaglio dello stato della cattolica religione nelle provincie della sua repubblica Americana e del sistema da darsi alle cose; come ancora che la medesima Sagra Congregazione attende con piacere che si solleciti la trasmissione de' due giovani Americani² richiesti per cotesto suo collegio, e che di già mi ha incaricato di fare la spesa occorrente pel di loro viaggio.

Il Signor Franklin avendomi comunicato un estratto delle istruzioni avute dal congresso sotto il dì 11 Maggio 1784, relativamente alla dimanda che gli feci, lo pregai di fornirmene una copia, ed una traduzione.³ Egli mi trasmise l'una e l'altra accompagnate da un suo biglietto in data de' 18 del corrente mese, che originalmente invio a

¹ Cf. *The French Clergy's Gift to America*, in the *Catholic Mind*, XVIII, no. 8; Merlant-Coleman, *Soldiers and Sailors of France in the American War of Independence: 1776-1783* (New York, 1920).

² The two boys were sent to the Collegio Urbano three years later. One was Ralph Smith of Maryland, who was fourteen years old, the other was Felix Dougherty of Philadelphia, thirteen years of age. Letter of Carroll to Pamphili, July 28, 1787, *Prop. Archives, Scritture rif., Amer. Centr.*, vol. 878, no. 3.

³ The instructions of Congress to Franklin and his letter to Pamphili are given in Document 7. When Antonelli received the Resolution, he wrote to Pamphili, on September 25, 1784, that he was well pleased with the answer of Congress and that Pius VI had been informed of that body's respect for him and the Pontifical States:

A Monsignor Arcivescovo di Seleucia Nunzio Apostolico in Parigi.

25 Settembre 1784.

Con particolare soddisfazione ho veduta la risposta data dal congresso degli Stati Uniti d'America al signor Franklin sul proposito della dimanda, che Vostra Signoria gli fece, e non si è mancato di rappresentare a Nostro Signore i sentimenti rispettosi del medesimo congresso verso la Santità Sua, e per lo stato pontificio. Io le rendo distinte grazie di tanta, e così gentile sua attenzione, ringraziandola altresì degli ulteriori uffici, ch' elle pensava di fare al detto ministro Americano relativamente all' assicurarlo della disposizione, che si ha dal nostro canto, perchè il signor Carrol venga insignito del carattere vescovile. *Prop. Arch., Lettere*, vol. 244, f. 781, in *AHR*, XV, 824. Translated in *Records*, XXI, 225-226.

Vostra Eminenza unite a questa mia rispettosa lettera. Non dubito, che alla Santità di Nostro Signore ed a cotesta Sagra Congregazione piacerà di rilevare dal medesimo estratto i sentimenti rispettosi del congresso verso Sua Santità, e lo stato pontificio; e che il congresso dichiara, che la dimanda, essendo puramente spirituale, è estranea ai di lui poteri, e giurisdizione, e che non ha autorità per permetterlo, o ricusarlo, essendo questo potere riservato individualmente a ciascuno stato. E sempre più ansioso di eseguire i pregiatissimi comandi dell' Eminenza Vostra, con tutto l'ossequio mi rassegnò.

Sources: *Prop. Arch., Scritture rif., America Centrale*, vol. II, ff. 279-280, *AHR*, XV, 823-824.

Translated in *Records*, XXI, 224-225.

No. 20.

PROPAGANDA TO CARROLL

JULY 23, 1785

Father John Carroll received the first news of his appointment as prefect-apostolic from a letter of Father Thorpe, dated June 9, 1784, which arrived in Rock Creek, Maryland, on August 20, of that year. The decree of the Congregation, the faculty to administer the Sacrament of Confirmation, and Antonelli's letter of June 9, announcing officially to him his appointment as Superior of the American Church, reached him at Rock Creek on November 26, 1784. But Carroll was not over-ready to accept the office. He had knowledge of the French intrigue, and moreover, the scanty faculties given him imposed such restrictions that to accept the office would mean that the American Church would be entirely dependent on Propaganda. He decided, however, to accept the office. His letter of acceptance is dated February 27, 1785. Carroll was quite frank about the entire situation and told Antonelli how objectionable all foreign jurisdiction was to Americans. As to the appointment of a bishop, he thought that it might better be postponed until there were candidates fitted for Holy Orders. Finally, he told the Cardinal that the jurisdiction given him was entirely too limited, particularly since he could not give faculties to newly-arrived missionaries unless they were sent by Propaganda.

ganda.¹ The information with which Antonelli had requested Carroll to furnish him was given in a *Relatio* which the prefect-apostolic sent to Rome on March 1, 1785.² In the following letter of Antonelli to Carroll, the cardinal gives him a new set of faculties whereby he is able to receive new missionaries into the country and to appoint them. At the same time Carroll is given faculties to dispense in a number of matrimonial impediments.

Summary: Your letters of February 27 and March 1 have been very pleasing to Pius VI and Propaganda. The abuses mentioned can easily be eradicated. We were glad to learn that "the foundations of religion can be laid so firmly in those American states that the hope arises that some day it will be a most flourishing portion of the vineyard of the Lord." We are likewise glad to hear that Catholics enjoy the free exercise of their religion, especially in Pennsylvania, Delaware, Maryland, and Virginia. Whilst offering thanks to God, we trust that, under your guidance, the Faith may increase. Propaganda, as mentioned in a previous letter, has decided to appoint you the first vicar-apostolic of the United States with the title and character of bishop. But if you deem it more politic to recommend someone for the office of vicar-apostolic, the Congregation will follow your suggestion. For the future, Propaganda will be willing to accept the more worthy among two or three recommended by the American missionaries. You have suggested and we have been informed from another source that the appointment of a vicar-apostolic should be postponed; until then, you shall continue as superior. But since the superior until now could only appoint those workers who were approved by Propaganda, new faculties are herewith enclosed omitting this usual clause.

Concerning the young men destined for the Roman College, the money necessary for their voyage will be supplied by the Nuncio at Paris, who will likewise pay their passage to France if they cannot do so themselves. The enclosed copy of the oath to be taken by the students will inform you that the most important part consists in the student's returning to labor in his own country. You shall

¹ The letter is in *Prop. Archives, Scritture rif., Amer. Centr.*, vol. II, ff. 306-311, and is printed in Guilday, *Carroll*, 214-219.

² *Ibid.*, vol. II, ff. 312-314, *ibid.*

inform us in due time if there be anything displeasing in the oath; if so, we shall adjust the formula.

His Holiness moreover, grants you the following faculties: to dispense in the second degree of consanguinity and affinity in thirty cases; to dispense from the unlawful bond in the first degree of affinity in thirty cases; and, of celebrating Mass, three hours after mid-day when necessary. You can easily gather from this how great a solicitude His Holiness and Propaganda have for the American mission.

D. Joanni Carroll.—Marilandiam.

23 Julii 1785.³

Quae de statu orthodoxae religionis in tredecim Confederatae Americanae provinciis Dominatio Tua luculenter exposuit per literas datas die 27 Februarii et 1 Martii pr. el., ea Sanctissimo Domino Nostro, et Sacrae huic Congregationi de Propaganda Fide pergrata acciderunt. Lubenter quidem accepimus fideles istos, licet aliqui inter eos abusus irrepserint, qui pastorum sollicitudine facile divelli poterunt, stabiles tamen esse, atque constantes in fide, ac tam firma religionis fundamenta in Americanis istis provinciis jaci posse, ut spes affulgeat florentissimam vineae Domini partem aliquando futuram. Illud etiam accessit perju-cundum, scilicet catholicos ipsos libero frui religionis exercitio, potissimum vero in Pensilvania, Delawaria, Marilandia et Virginia, ubi eodem, ac ceteri cives, juri utuntur. Quare dum Deo Patri Misericordiarum plurimas agimus gratias, Dominationi tuae quae omne studium atque operam contulit ad spiritualem eorumdem fidelium utilitatem, pergratam nostram voluntatem testari non desumus, fore sperantes, ut res catholica sub tuo regimine magis magisque deinceps capiat incrementum. Statuit etiam Sacra Congregatio, ut in praecedentibus litteris tibi declaravimus, vicarium apostolicum cum titulo et characterē episcopali in tredecim istis Confederatae Americae provinciis interim praeficere,

³ The letter was sent through the good services of Franklin who suggested that it be given into the care of certain Americans who were friends of Carroll:

Illmo e Revmo Signore, Signore Padrone colendissimo.

Per mezzo di questo ministro plenipotenziario delli Stati Uniti di America ho travato la favorevole occasione di alcuni Americani di conoscenza, e dello stesso paese del signor Carroll per trasmetterli con celerità e sicurezza il piego, che V. S. Illma e Revma si è degnata diriggermi. . . . *Prop. Arch., Scritture rif., America Centrale*, vol. II, f. 324, in *AHR*, XV, 826. Translated in *Records*, XXI, 229.

The letter reached Carroll on March 27, 1786. Letter of Carroll to Antonelli, March 13, 1786, which the prefect-apostolic sent on August 18, 1786, in *Prop. Arch., Scritture rif.*, vol. 876, no. 13.

eamque dignitatem Dominationi Tuae primum conferre. Si verro magis expedire et istius reipublicae constitutioni acceptius fore putaveris, ut missionarii ipsi aliquem vel prima vice S. Congregationi commendent, qui ad vicarii apostolici munus provehatur, Sacra Congregatio id praestare non desinet, quod opportunius fore judicaveris. Certe in posterum, ut accepta evadat huiusmodi designatio, nulla erit Sacrae Congregationi difficultas, ut missionarii isti duos vel tres ex iis digniores Sacrae Congregationi commendent, ex quibus illum decernere non recusabit, qui virtute ac meritis magis excellere videbitur. Interim vero Dominatio Tua superioris munus exercere perget, nam cum ipse declaraveris, non prius oportere vicarium apostolicum constituere, quam de idoneis sanctuarii ministris, et de decenti episcopi sustentatione provideatur, et aliud significatum fuerit, id esse opportunum, ut negotium istud paulo adhuc protrahatur, nos vicarii apostolici designationem congruo tempori reservabimus, de quo etiam abs Te certiores fieri expectamus. Ut autem Te superiore, omne avertatur offensionis periculum ex eo, quod superior istarum missionum nullos possit designare operarios, nisi quos Sacra haec Congregatio approbarit, novum tibi inserendum curavi facultatum exemplar, in quo sublata est consueta haec clausula, tibi que potestas facta eligendi operarios, quos idoneos in Domino judicaveris.

Quod vero attinet ad juvenes ad collegium hoc Urbanum mittendos, demandatum Nuncio Apostolico Parisiensi munus suppeditandae pecuniae, qua opus erit pro illorum itinere. Expedias igitur cupio juvenes duos, quos polliceris praestantis ingenii, firmeque valetudinis, ut proficui aliquando evadant catholico isti gregi operarii, et si illud assequi non poteris, ut viam suis sumptibus aggrediantur saltem ad Galliae littera supplebitur per eundem D. Nuncium ex aerario Sacrae Congregationis. Quae autem sit formula iuramenti, quod a nostris alumnis praestare solet, ex inserto exemplo noveris, atque prospicies, potissimam iuramenti partem in eo versari, ut in suam quique provinciam alumni revertantur apostolico ministerio operam daturi, et S. Congregationem de statu suo certiores faciam. Si quid tamen invenies, quod in praesentibus rerum circumstantiis displicere possit, eandem iuramenti formulam pro alumnis istarum regionum accomodare non recusamus, prout magis expedire videbitur, de quo tuum erit nos opportune commonefacere.

Veniens nunc ad facultates quas postulasti, Sanctissimus Dominus Noster Dominationi Tuae benigne concessit facultatem dispensandi cum Henrico Spalding, et Maria Spalding in secundo consanguinitatis gradu, ac super impedimento compaternitatis; eorumque matrimonium, servatis conditionibus, quae in adnexo documento expresse sunt, revalidandi. Insuper, ut aliis gregis tibi commissi necessitatibus prospicias, Sanctitas Sua aliam tibi communicavit facultatem dispensandi in secundo consanguinitatis et affinitatis gradu, dummodo nullo modo attingat primum, pro casibus triginta, ac pariter dispensandi pro toti-

dem vicibus in primo gradu affinitatis ex copula illicita, sive per lineam rectam, sive per collateralem, prout ex insertis documentis perspicies, quorum tuum erit omnes clausulas et conditiones accurate servare. Alia his adnequitur celebrandi scilicet per tres horas post meridiem, quando quidem id exigere spirituale istius populi necessitatem exposuisti. Ex hoc probe intelliges, quanta sit Sanctitatis Suae et Sacrae huius Congregationis sollicitudo pro istius missionis incremento, ac fore confidens, ut Dominatio Tua expectationi nostrae cumulate respondeat, Deum precor, ut eidem fausta ac pacata omnia concedat.

Sources: *Prop. Arch., Lettere*, vol. 246, ff. 437-438, in Guilday, *Life and Times of John Carroll* (New York, 1922), 271-273. A paragraph, incorrectly transcribed, is given in Hughes, *History of the Society of Jesus in North America, Documents*, I, part 2, 235.

Translated in Guilday, *op. cit.*, 269-271. Shea II, 272-273, gives a short summary of the Document.

No. 21.

EXTRACT FROM THE *ATTI* OF PROPAGANDA

SEPTEMBER 14, 1789

The question of whether a bishop should be appointed for the American Church or not, was a thorny one. When Father Thorpe's letter of June 9, 1784, informing Carroll of his appointment as prefect-apostolic, was laid before the chapter of the American Clergy at Whitmarsh, on October 11, 1784, a Committee of Three was appointed to inform the Holy See that, for the present, the Church in the United States was not in need of a bishop. A *Memorial* to this effect was drawn up and sent to His Holiness, Pius VI, and did much to delay the founding of the first See.¹ Carroll in his letter to Antonelli, February 27, 1785, had suggested the necessity of a bishop's being appointed eventually, but thought that it would be better to defer it until there were candidates for Holy Orders. However, when Antonelli's letter of July 23, 1785 reached Carroll on March 27, 1786, he presented it to the

¹ The Memorial is printed in *United States Catholic Magazine*, III, 797-798, in Guilday, *Carroll*, 176.

Second General Chapter of the American Clergy, held at White-marsh in the following November, and it was quickly acted upon. Among the matters agreed upon at the Chapter was one "directing that a memorial be transmitted to his Holiness, representing that a clergy of these States conceive it as their right, and therefore require to be governed only by an Ordinary Bishop, chosen by themselves and depending in spirituals solely on the Holy See. . . ." ² The clergy Petition for a bishop was sent to the Holy See on March 12, 1788, and contained the following important points: First, that his Holiness "erect a new episcopal see in these United States, immediately subject to the Holy See; in the next place that the election of the bishop, at least for the first time, be permitted to the priests, who now duly exercise the religious ministry here and have the cure of souls." ³ These proceedings were reported in the general session of the Congregation:

Summary: On June 23, 1788, the American clergy petitioned His Holiness to establish a diocese in the United States in order to check certain refractory ecclesiastics, who will not be bound by the uncertain jurisdiction of a vicar-apostolic, and to stabilize the position of the Church in that region; they also petitioned that the American clergy be granted permission, for this first time only, to nominate the prelate for the See. His Holiness, on July 6 (1788) approved your suggestions regarding the designation of the prelate and the See. The deputies (American clergy) were notified that they were to decide whether the prelate should be a titular bishop or whether the See should receive the name of the city selected as the episcopal residence. After deciding these matters, they were to nominate the incumbent for the new See.

On May 18, 1789, the American clergy wrote to the Congregation that a bishop with ordinary jurisdiction would be preferable to a titular bishop and that Baltimore had been unanimously selected as the place for an episcopal See. Finally, they say, that after having implored the assistance of the Holy Ghost, the votes of those present were taken with the result that Mr. Carroll was

² Circular Letter, dated November 24, 1786, in Hughes, *op. cit.*, *Documents*, 666-667.

³ See note 5, *infra*.

elected, having received 24 out of 26 votes (three other *vocales* did not vote).

Wherefore, they beg His Holiness to approve their choice and commend their cause to the good will of your Eminences.

Approval of the cardinals and the pope.

In congregatione generali de propaganda fide habita die 14 Septembris 1789 interfuerunt Eminentissimi et Reverendissimi Domini Cardinales sequentes videlicet: Antonelli praefectus, Carrara, Valenti, Archinto, Busca, Borgia. Nec non R. P. D. de Carpineo pro secretarius et protonotarius apostolicus.

Relationes Illmi et Revmi Domini de Carpineo prosecretarii. . .

5. Nella congregazione generale de 23 Giugno dell' anno scorso fu riferito un memoriale avanzato a nome di tutto il clero delle provincie confederate di America da tre deputati del medesimo Signor Giovanni Caroll, Roberto Molineux e Giovanni Ashton, nel quale si rappresentava, che per tenere a freno alcuni ecclesiastici contumaci, i quali si vantavano di non esser tenuti ad obbedire ad un semplice vicario, che non esercita che una giurisdizione precaria, e vietata dalle leggi di quella repubblica, e per provvedere altresì più stabilmente al buon ordine e alla propagazione della religione cattolica in quegli stati era assolutamente necessario, che la Santità di Nostro Signore si degnasse di divenire all'erezione di un vescovato, soggetto immediatamente alla Sede Apostolica, e che per render meno sospetta a quel governo, così l'elezione, come l'autorità del nuovo prelado, pareva molto opportuno, che la Santità Sua si compiacesse altresì di accordare, almeno per questa prima volta, la nomina di esso vescovo a quella parte del clero, che di presente esercita la cura delle anime in dette provincie. Le Eminenze Vostre in vista di tale istanza, dopo un maturo esame, si degnarono di rescivere: "Consulendum Sanctissimo pro designatione hae vice tantum novi Episcopi, et D. Carroll certiet Sacram Congregationem de loco, ubi episcopatus erigendus sit, vel potius constituendus sit episcopus titularis", e questa determinazione fu benignamente approvata da Sua Beatitudine nell' udiienza dei 6 Luglio. Fu pertanto in conformità data notizia a quei deputati della grazia, che loro si accordava da Nostro Signore, ordinando che in primo luogo esaminassero bene di fissare la sede vescovile, e poi se il vescovo si dovesse denominare dal luogo della sede, oppure stabilirvisi un vescovo titolare, dopo di che si permetteva loro di procedere alla nomina di quella persona, che per pietà, prudenza e dottrina avessero stimata più meritevole di questa dignità, per poi riportarne da questa Santa Sede la conferma.⁴

Ora li suddetti deputati, rendendo umilissime grazie al Santo Padre,

⁴ Letter of Antonelli to the three memorialists, July 6, 1788, *Prop. Arch., Lettere*, vol. 205, ff. 595 ss, in Guilday, *Carroll*, 352.

e a questa Sacra Congregazione della grazia benignamente accordata loro per consoliazione e vantaggio spirituale di quel popolo cattolico, scrivono sotto il dì 18^o Maggio prossimo passato, che in primo luogo il comune sentimento è stato che un vescovo con giurisdizione ordinaria dovesse essere molto più a proposito pel governo spirituale che un titolare, e anche più gradito e meno sospetto agli stati, di poi che per sede vescovile fu unanimemente prescelta Baltimoria, città situata nel mezzo della Marilandia, dove si trova la maggior parte de' fedeli e de' sacerdoti, e d'onde si è felicemente propagata la religione nelle altre provincie. E finalmente dicono, che dopo celebrata la messa dello Spirito Santo e implorato l'aiuto del Padre dei lumi, esaminati i voti dei presenti, e gli altri trasmessi dai lontani, fu trovato restar legittimamente eletto per nuovo vescovo il Revmo D. Giovanni Carroll attual superiore di quelle missioni, avendo avuto in favore 24 voti, quando due altri candidati, quali furono D. Ignazio Mattheros, e D. Enrico Pile non ebbero che un solo, facendo avvertire, che tre dei votanti, o non vollero, o trascurarono di mandare il loro voto.

Supplicano pertanto la Santità di Nostro Signore perchè si degni di approvare e confermare questa scelta con accordar loro la detta sede vescovile, molto desiderata dal popolo cattolico, e non disgradevole agli stessi protestanti, e si raccomandano a tale effetto alla sperimentata benignità e protezione dell' Eminenze Vostre.

RESCRIPTUM.

Relatis per me litteris sacerdotum animarum curam gerentium in foederatis Americae provinciis, qui indicarunt civitatem Baltimori aptissimam esse pro sede episcopali, et R. D. Joannem Carroll in eiusdem primum Episcopum designarunt, EE. DD. utrumque probaverunt, facto verbo cum Sanctissimo.

Die 17 Septembris eiusdem anni 1789.

Facta per me Sanctissimo relatione, Sanctitas Sua Sacrae Congregationis sententiam benigne probavit, mihique mandavit ut litteras apostolicas conficerem, transmittendas in secreteria Brevium pro expeditione.

L. Card. ANTONELLUS, praefectus.

Sources: *Prop. Arch., Atti*, 1789, f. 369 and f. 378v, in *AHR.* XV, 826-827.

Translated in *Records*, XXI, 229-232.

^o *Memorial Letter, Prop. Arch., Scritture rif., America Centr.*, vol. II, ff. 358 ss, in Guilday, *Carroll*, 348-350, note.

No. 22.

DECREE OF PROPAGANDA

SEPTEMBER 14, 1789

Following is the decree of the Sacred Congregation in which His Holiness is petitioned to create a new episcopal See in the city of Baltimore and to confirm the election of Carroll as its first bishop.

Summary: The Congregation, with the approval of His Holiness, decreed that a bishop should be constituted for the spiritual government of the faithful in the United States, and sought information from the priests there as to what city would be best-fitted for the episcopal See; and, by special favor, and for this first time only, the same clergy were permitted to propose the candidate for the office. Since they have signified that Baltimore would be the proper city and that the man best qualified for the office was John Carroll, at present, Vicar-Apostolic:

Therefore, having referred the matter to the Congregation, the Cardinals decreed that His Holiness be petitioned to erect the city of Baltimore into an episcopal See and to confirm the election of John Carroll as Bishop. The report of these proceedings being made to the Sovereign Pontiff on September 17, the latter gave his approval and ordered that the Apostolic Brief be expedited.

Decretum Sacrae Congregationis generalis de Propaganda fide habitae die 14 Septembris 1789.

Cum Sacrae hujus Congregationis decreto a SSmo. D.N. approbato sancita fuerit maximopere ad catholicae religionis incrementum conducere, si ad spirituale regimen Christi fidelium in Foederatae Americae provinciis degentium constitueretur Episcopus cum ordinaria iurisdictione, atque propterea demandatum fuerit sacerdotibus illuc curam animarum gerentibus, ut inquirerent, in qua potissimum urbe nova sedes episcopalis figenda videretur, tum etiam ex speciali gratia, et pro prima tantum vice iisdem sacerdotibus concessum fuerit, ut situm eligerent huic muneri idoneum Apostolicae Sedi praestandum, atque cum nuper ex eorum litteris Sacrae Congregationi significatum fuerit urbem Baltimore in Marilandia prae omnibus aptissimam indicari, utpote quae sit commercio cum reliquiis provinciis opportunior, ex eaque primum in reliquis catholica religio propagata fuerit; virum autem dignissimum huic tanto ferendo oneri in eorundem sacerdotum conventu, fere cunctis

suffragiis renunciatum fuisse R. D. Joannem Carroll, qui jam Vicarii Apostolici munere egregie fungebatur, de iisque rebus omnibus abs se gestis instrumentum etiam ad Sanctam Sedem transmiserint: hinc est quod hic omnibus per me Sacrae Congregationi relatis, EE. DD. censuerunt supplicandum esse Sanctissimo pro erectione urbis Baltimori in sedem episcopalem, et pro confirmatione electionis Joannis Carroll in ejusdem urbis episcopum cum ordinaria jurisdictione super clerum, et populum, omnesque catholicos degentes in provinciis Foederatae Americae imperio subiectis, et cum omnibus aliis facultatibus necessariis et opportunis. Die autem 17 Septembris ejusdem anni facta per me ipsum SSmo Domino Nostro relatione, Sanctitas Sua S. Congregationis sententiam benigne approbavit, et litteras apostolicas in forma Brevis expediri mandavit. Datum etc. die etc.

Sources: *Prop. Arch., Decreti, 1779-1789*, f. 458, in *AHR*, XV. 828.

Translated in *Records*, XXI, 232-233.

No. 23.

PIUS VI

NOVEMBER 6, 1789

The Brief *Ex hac apostolicae*, creating the first episcopal See in the new Republic, is the first, and therefore the most precious papal document in the possession of the Church in the United States. This document marks the formal establishment of the American hierarchy.

Summary: Since many of the faithful in the Thirteen United States desire the appointment of a bishop, the Pope willingly accedes to their request. The Sacred Congregation de Propaganda Fide entrusted to the priests of the United States a) the choice of the episcopal city, and b) the choice of one among them to be appointed bishop. Baltimore was chosen as the episcopal city and John Carroll received the nomination for the bishopric. Both choices were acceptable. Therefore, Baltimore is hereby erected into an episcopal See subject to no metropolitan and John Carroll is constituted Bishop of Baltimore with full episcopal privileges and rights. The bishop is commissioned to erect a cathedral church, to constitute a body of clergy deputed to divine worship and to establish an episcopal seminary.

PIUS PP. VI.

ad perpetuam rei memoriam.

§ 1. Ex hac apostolicae servitutis specula ad universas orbis terrae partes animum intendentes, ut impositum nobis licet immerentibus munus regendi ac pascendi Dominicum gregem quantum in Domino possumus exequamur, ad id potissimum curas sollicitudinesque nostras convertimus, ut Christifideles, qui in diversis provinciis dispersi catholica nobiscum communione sociantur, a suis regantur pastoribus, a quibus in evangelicae vitae ac doctrinae disciplina diligentissime erudiantur; sic enim statuimus, ut qui vitam moresque suos ad christianae sapientiae praecepta conformaverit, suis ope divina fraetus ita imperet cupiditatibus, ut sectando iustitiam, non sibi solum, sed suis etiam, cum quibus diversatur, prodesse plurimum possit. Qui vero docentibus Episcopis coelestem doctrinam a Christo Domino catholicae Ecclesiae traditam probe hauserit, eique refraenata ingenii immoderantia firmissime inhaeserit, non circumferatur omni vento doctrinae, ut inquit Apostolus, sed Dei revelantis auctoritate nixus in catholicae Ecclesiae fide conquiescat, repudiatis hominum novis variisque doctrinis, cum quibus nec ipsa civilis potest respública salva consistere. In hac enim perditorum morum colluvie, in quam praeceps ruit humana natura, Christi iugo repugnans, in eaque ingeniorum superbia, nescia subdere hominum opiniones et deliramenta evangelio Christi et ab eo traditae veritati, maxime subvenire debuit coelestis auctoritas, quae catholicae Ecclesiae in omne aevum duraturae tamquam columnae ac fundamento firmissimo commendata, eius voce eiusque magisterio disceremus, cum quae agenda sunt, tum eius voce, quae credenda, non tantum propter adipiscendam sempiternam salutem, et sempiterni cuiusdam populi coelestem divinamque rempublicam, sed etiam propter hanc vitam honestissime gerendam, et propter terrestris civitatis concordissimam societatem. Hoc autem docendi ac regendi munus primum Apostolis concreditum, ac potissimum B. Petro Apostolorum principi, supra quem unum aedificata est Ecclesia, cuique Dominus ac redemptor noster oves atque agnos pascendos commisit, per temporum et successionum vices in Episcopos est derivatum, ac praesertim in Romanos Pontifices beati Petri successores, eiusque potestatis ac dignitatis haeredes, ut inde verissime constaret haud portas inferi adversus Ecclesiam praevalere umquam posse, divinumque eius institutorem usque ad consumptionem saeculi praesto semper adfuturum, ne in quacumque morum foeditate, vel in quibuslibet aestuantium opinionum fluctibus, aut episcopalis successio deficeret, aut navicula Petri submergeretur.

§ 2. Quamobrem cum ad aures nostras perlatum sit in florentissima tresdecim provinciarum Americana republica plurimos christifideles, qui cathedrae Petri in qua catholicae unitatis centrum constitutum est communione sociati, licet a suis presbyteris animarum curatoribus spiritualiter gubernentur, plurimum tamen optare, ut Episcopus praeficiatur,

qui non modo ea, quae sunt ordinis episcopalis, exerceat, sed etiam ad uberius pascendam salutaris doctrinae pabulo, custodiendamque illam catholici gregis partem sedulo incumbat, libentissime eam occasionem amplexi sumus, qua nobis de catholici Episcopi opera ac solatio tam dissitas regiones providere, Dei opt. max. opitulante gratia, conceditur.

§ 3. Quod ut felicius ac iuxta sacrorum canonum regulas melius perficeretur, venerabilibus fratribus S. R. E. Cardinalibus negotiis Congregationis Propagandae Fidei praepositis in mandatis dedimus, ut totum hoc negotium diligentissime curarent, et ad nos referrent. Itaque eorum decreto die XII. iulii superioris anni edito ac per nos adprobato sancitum est, ut presbyteris, qui in foederatae Americae provinciis catholicae religionis ministeria rite exercent, curamque agunt animarum, committeretur, ut collatis simul consiliis id primum inquirerent, qua in urbe sedes ista episcopalis constitui deberet, deinde qui potissimum idoneus ad hoc tantum munus ex iisdem presbyteris assumendus videretur, quem nos, pro prima hac vice tantum, et ex speciali gratia, ab eodem clero eligendum, atque huic Apostolicae Sedi praesentandum permisimus.

§ 4. Obsequentes huic decreto supra memorati presbyteri in foederatae Americae provinciis curam animarum gerentes concordi studio prius existimarunt in civitate Baltimori Episcopum cum ordinaria iurisdictione esse constituendum, quippe quae urbs sita in Merilandia, in qua maior fidelium ac sacerdotum pars degit, aptissima commercio cum reliquis provinciis videatur, tum etiam quod ex ea provincia in reliquis religio fidesque catholica propagata fuerit. Deinde vero statuto electionis tempore insimul convocati, ac peracto sanctissimae missae sacrificio, divinique spiritus implorata ope, omnium suffragia exquisita sunt, et ex viginti sex sacerdotibus, qui convenerant, viginti quatuor suffragium tulerunt pro dilecto filio Ioanne Carroll, quem aptissimum episcopali subeundo oneri iudicarunt, confectoque totius rei gestae instrumento ad eandem Congregationem Cardinalium transmiserunt.

§ 5. In ea rebus omnibus mature perpensis ac consideratis, facile in sententiam itum est, quam maxime conducere religionis catholicae incremento, si Baltimori sedes episcopalis figeretur, et fere cunctis eorundem sacerdotum suffragiis designatus Ioannes Carroll in eiusdem Episcopum praeficeretur.

§ 6. Nos igitur, quibus a dilecto filio nostro Cardinali Antonellio praefecto eiusdem Congregationis sententia relata fuit, nihil habentes antiquius quam quae ad verae fidei propagationem sanctaeque catholicae Ecclesiae decus et amplificationem pertinent, ad optatum exitum perducere, praedictam civitatem Baltimori apostolicae potestatis plenitudine tenore praesentium in episcopalem sedem pro uno Episcopo a nobis in futuris quandocumque vacationibus eligendo tenore praesentium perpetuo erigimus et constituimus.

§ 7. Ac propterea eiusdem civitatis Episcopo, eiusque successoribus

quandocumque futuris, episcopalem iurisdictionem et potestatem exercere, omnia et singula quae ordinis ac iurisdictionis et cuiuslibet alterius muneris episcopalis sunt, et quae alibicumque constituti Episcopi in suis ecclesiis, civitatibus et dioecesibus de iure vel consuetudine, vel alias quomodolibet ex generalibus privilegiis, gratiis et indultis, ac dispensationibus apostolicis gerere et facere possunt, cum praeeminentis, honoribus, immunitatibus et gratiis, quibus caeterae cathedrales ecclesiae de iure vel consuetudine, vel alias, quomodolibet utuntur, potiuntur et gaudent, uti, potiri et gaudere quomodolibet in futurum apostolica auctoritate praedicta tenore praesentium perpetuo concedimus et indulgemus.

§ 8. Eamdem vero episcopalem sedem sic erectam nullius metropolitico iuri volumus obnoxiam esse, aut suffraganeam, sed nobis ac successoribus nostris Romanis Pontificibus, ac huic Apostolicae Sedi perpetuo subiectam decernimus et declaramus: Episcopis autem novae huius Baltimorensis ecclesiae perpetuis quandocumque temporibus, donec alia nobis alios catholicos Episcopos in foederatis Americae provinciis deputandi sese offerat occasio, ac donec aliter per hanc Apostolicam Sedem fuerit dispositum, omnes christifideles catholica communione viventes tam ecclesiasticos quam saeculares, universumque clerum ac populum in praedictis foederatae Americae provinciis existentem, quamvis alteri cuiuscumque dioecesis Episcopo huc usque subiectus fuerit, eidem Episcopo Baltimorensi subiectam fore et esse nostra auctoritate decernimus et declaramus, cum facultate eidem futuro Episcopo eiusque successoribus contradictores quoscumque suisque mandatis inobedientes appellatione postposita compescendi, catholicas ecclesias vel per se, vel per alios ab ipso delegatos, visitandi, abusus tollendi, fidelium mores corrigendi, eaque omnia exercendi, quae iuxta canonicas sanctiones, Tridentini Concilii decreta et Apostolicae Sedis auctoritatem.

§ 9. Cum vero iuxta praemissa ex speciali gratia, et pro hac prima tantum vice, sacerdotibus in foederatae Americae provinciis animarum curam gerentibus indulerimus, ut personam eligerent a nobis in Episcopum praeficiendam, omniumque fere suffragia in presbyterum Ioannem Carroll collata fuerint, nos eiusdem fidem, prudentiam, pietatem ac zelum aliunde perspectum habentes, quoniam magna cum laude postremis hisee annis nostro mandato spirituali animarum regimini praefuit, eundem propterea ex apostolicae potestatis plenitudine eiusdem Baltimorensis ecclesiae Episcopum et pastorem declaramus, creamus, praeficimus et constituimus, facultatem eidem impertientes, ut consecrationis munus a quocumque catholico Antistite Apostolicae Sedis communionem habente cum assistentia duorum ecclesiasticorum aliqua saltem dignitate fulgentium, quatenus duo Episcopi haberi non possint, praestito prius iuxta pontificale Romanum iuramento, munus consecrationis suscipere possit et valeat. Eidem vero sic electo Episcopo committimus, ut in praefata Baltimorensi civitate unam ecclesiam sibi

benevisam ad formam cathedralis ecclesiae redigi faciat, et, prout temporum ac rerum ratio permiserit, aliquem sibi clerum instituat divino cultui et eiusdem ecclesiae servitio addictum, ac praeterea seminarium episcopale, vel in eadem civitate vel alibi, prout magis expedire iudicaverit, erigat, ecclesiasticos proventus administret, aliqua gerat pro catholicae fidei incremento, ipsiusque sic novae erectae cathedralis ecclesiae cultu et decore amplificando, prout magis in Domino expedire iudicaverit. Mandantes propterea eidem Episcopo, ut iussis S. Congregationis venerabilium fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum obtemperet, relationem visitationis ecclesiae debito tempore transmittat, eamque instructam reddat de iis omnibus, quae spiritualis sibi commissi gregis bono ac saluti noverit profutura.

§ 10. Decernentes has praesentes literas semper firmas, validas et efficaces existere et fore, suosque plenarios effectus sortiri et obtinere, et ab illis, ad quos spectat et spectabit quomodolibet in futurum, inviolabiliter observari; sique in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii apostolici auditores, et S. R. E. Cardinales, sublata eis, et eorum cuilibet, quavis aliter iudicandi et interpretandi facultate et auctoritate, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.

§ 11. Non obstantibus apostolicis ac in universalibus, provincialibusque et synodalibus Conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, caeterisque contrariis quibuscunque.

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris, die VI, novembris MDCCLXXXIX., pontificatus nostri anno xv.

Sources: De Martinis, IV, 344-346; *BCPF*, IV, 212-214; Hermaez, II, 776.

Translated in Shea II, 337-343; Guilday, *Carroll*, 358-361.

No. 24.

PROPAGANDA TO THE AMERICAN MISSIONARIES

NOVEMBER 14, 1789

Eight days after the Brief *Ex hac apostolicae* had been expedited by order of Pope Pius VI, the Sacred Congregation wrote to the priests in the United States praising and congratulating them on their almost unanimous choice of Father Carroll as the first Bishop of the newly-created See of Baltimore.

Summary: Your almost unanimous choice of John Carroll as the first Bishop of Baltimore has been most acceptable and pleasing to us. His Holiness, knowing the reputation and zeal of Rev. John Carroll, has confirmed by Apostolic Decree, this first election granted to you by special favor. Nothing more remains now but that you vie with one another in cultivating that most flourishing vineyard. You will thereby bring one heart and one mind to the mystical body which has now received a head.

R. D. Roberto Molineux, Joanni Ashton, Carolo Sewall aliisque praesbyteris in Foederatis Americae provinciis curam animarum gerentibus.

14 Novembris 1789.

Nihil profecto gratius, atque jucundius nobis accidere poterat, quam quod omni ambitione posthabita, nulloque partium aestu abrepti unanimi pene consensu Joannem Caroll primum episcopum novae istius Baltimorensis ecclesiae designastis. Quum enim SSmus D. N. Pius VI perpetuam plane haberet ejusdem viri probitatem, ac studium singulare, quo isthic diu multumque animarum saluti incubuit, vobis ex speciali gratia, primae huius electionis libertatem, qua tam recte sapienterque usi estis, vestramque electionem ratam habens, literis apostolicis confirmavit. Postquam igitur novus antistes rite consecratus fuerit, nihil aliud restat quam ut vos eidem manus auxiliares certatim porrigatis ad florentissimam istiusmodi vineam excolendam, et in partem pastoralis sollicitudinis admissi, ad istius gregis custodiam collatis viribus sata-gatis. Sic enim opus a vobis egregie incoeptum felicitatem absolvetis, et in mystico corpore cui modo caput impositum est, fiet, quod in primis Christi cultoribus mirari licuit, cor unum, et anima una. Quod quidem quum certum habeamus fore, ut vos exacto praestetis, nos quoque vobiscum Deum Optimum Maximum deprecabimur, ut vestri Episcopi electio justissimo optatis vestris, nostrisque votis respondeat.

Sources: *Prop. Arch., Lettere*, vol. 255, f. 599, in *AHR*, XV, 828-829.

Translated in *Records*, XXI, 233-234; Shea II, 333-334; Guil-day, *op. cit.*, 353-354.

No. 25.

PROPAGANDA TO CARROLL

NOVEMBER 14, 1789

When the Cardinal Prefect, Antonelli, transmitted the Brief creating the new See of Baltimore, he took occasion to include a personal letter to the bishop-elect. There is a warmth about the

entire letter that leaves no doubt of the cardinal's sincere interest in the welfare of the newly established Church. He takes the opportunity to assure Carroll that there will be no occasion of his wanting any faculty whatever and he begs him to ask for any faculty he desires. At the same time, Antonelli admonishes him in a fatherly way to be careful as to what sort of laborers he admits to his diocese.

Summary: We can barely express the joy that we felt when you were chosen by the American clergy for the new See of Baltimore. In the first place, we have the highest hopes that the consolation of having a bishop will strengthen the faith of the people. Then, we congratulate ourselves that you have been chosen for this dignity, and we have no doubt whatever that you will fulfill to the best the burden laid upon you. His Holiness shared in our joy and he was most glad to declare you to be the new Bishop of Baltimore by the enclosed Apostolic Letters. We congratulate you on your new dignity. "It is a glorious thing and a great distinction to be able to offer to God the first fruits, as it were, of that vineyard." We are sending you the faculties which the Holy See is accustomed to give to the bishops of the Indies and of America; make use also of the faculties which you possessed as vicar-apostolic. If you need any other whatsoever, I shall not refuse them. You should make a personal visitation of all the provinces as soon as possible, correcting abuses and exhorting the missionaries. If you are wanting priests, find out from what country it is best to invite recruits but be wary lest you have a too great variety of nationalities among your laborers since this often gives rise to quarrels and dissensions.

D. Joanni Carroll Episcopo Baltimorensi.

14 Novembris 1789.

Quam mirifice laetati simus, quod praestantissimus iste presbyterorum conventus jussu Sacrae hujus Congregationis coactus, cunctis fere suffragiis in te conspiraverit, ac ad novam sedis Baltimorensis cathedram occupandam designaverit, non satis verbis explicare possumus. Nam primum maximam in spem erigimur, quod christiana plebs novi episcopi solatio corroborata in fide, ac fidei operibus convalescat magis, et confirmetur. Deinde nobismetipsis gratulamur te nova hac dignitatis acceptione ad isto clero indicatum fuisse. Ea enim est virtutum tuarum in nobis praeconcepta opinio, ut nullo modo dubitare possimus, quin et

novi pariter, atque oneri cumulatissime satisfacias. Huius tam juste a nobis susceptae laetitiae particeps etiam fuit SSmus D. N. Pius Papa VI qui cum te pridem vicarium apostolicum in istis provinciis deputasset, libentissime etiam augendae dignitatis tuae occasionem amplexus est, ideoque te ipsum novum episcopum Baltimorem litteris apostolicis, quae heic alligatae transmittuntur, ex plenitudine apostolicae potestatis declaravit. Itaque de hac nova amplissima tua dignitate gratulamur, utque gregis tuae curae commissis custodiam alacri animo suscipias, Dei omnipotentis auxilio fretus, vehementer hortamur. Illustre ac gloriosum est Dominicae istius vineae primas Deo quasi fruges offerre posse. Fruere igitur tanto bono in tuam non modo, quam aliorum salutem, et catholicae fidei incrementum quam in dissitis novi istius orbis provinciis in dies magis magisque radices propagaturam fore confidimus. Ne iis destitutus sis facultatibus, quas Sedes Apostolica Indiarum atque Americae Episcopis concedere consuevit, adiungimus tibi earum formulam primam, quibus uti poteris cum dioecesanis tuis, prout salubriter in Domino expedire judicaveris, utere tamen etiam tamquam Episcopus iis facultatibus extraordinariis quae tibi tamquam Vicario Apostolico pridem concessae sunt. Si cuiuslibet alterius indigeas, refer a me omnia diligenter, et quaecumque ad animarum salutem pertinent officia desiderari non sinam. Cum primum peteris omnes provincias et catholicorum loca visita per te ipsum, dissolutos mores corrige, abusus extermina, hortare missionarios, ut naviter sua munera exequantur, neminem patiaris sine tua venia animarum curam gerere, et sacramenta ministrare. Si eorum penuria laboras, vide ex quo potissimum regno sint evocandi, sed diligenter etiam animadvertite, ne ex varia indolis, ac ingenii, prout fere sunt diversarum regionum homines, rixae, ac discordiae exoriantur. Ob quam potissimum causam Italos sacerdotes, qui praeterea anglicum sermonem perraro callent, isthuc transire non permittimus. Nemini cito manus imponas, sed eos solum, qui in seminario pietati, ac studiis egregiam operam navarunt, in cleri militiam adscribe. Coeterum Deus te sospitet in multos annos ad istius Ecclesiae salutem, et incrementum.

Sources: *Prop. Arch., Lettere*, vol. 255, f. 668, in *AHR*, XV, 829.

Translated in *Records*, XXI, 354-355.

PART II

PONTIFICATE OF PIUS VII

(March 13, 1800–August 20, 1823)

PROPAGANDA TO BISHOP CARROLL

SEPTEMBER 20, 1805

On January 29, 1791, Bishop Carroll had been informed by Propaganda that "all the faithful living in communion with the Catholic Church, both ecclesiastics and lay persons, whether they dwell in the provinces of Federated America, or in the neighboring regions outside of the provinces, so long as they are subject to the Government of the Republic, will be and shall be hereafter under the jurisdiction of the Bishop of Baltimore."¹ Consequently, by the treaty of April 30, 1803, in which France ceded Louisiana to the United States, the territory thus acquired automatically fell under the jurisdiction of Baltimore. The Diocese of Louisiana and the Two Floridas, which had been founded on April 25, 1793,² had become vacant by the promotion of its bishop, Luis Peñalver y Cardenas, to the See of Guatemala on July 20, 1801.³ The diocese was governed in the interim by two priests, Thomas Hassett and Patrick Walsh, whom Bishop Peñalver had appointed as Vicars-General. Hassett wrote to Carroll on December 23, 1803, acquaint-

¹ Ex audientia SSmi habita die 13, Januarii 1791.

Proposito per me . . . dubio super jurisdictione episcopi Baltimorensis in America Septentrionali, an scilicet praeter tredecim Provincias, quae in Brevi erectionis nominantur, alii quoque terrarum tractus contigui ad Baltimoreensem sedem pertinere debeant, qui licet foederationi Americanae subjecti, non adhuc tamen in formam Provinciae sunt redacti.

SSmus Dominus Noster Pius Pont. VI declaravit die 6 Novembris 1789 omnes Christi fideles . . . non solum in Foederatae Americae Provinciis, sed etiam in aliis finitimis extra provincialibus regionibus, ejusdem tandem Reipublicae dominio subjectis existentes, quamvis alteri cujuscumque Dioecesis Episcopo hucusque subjecti fuerint, in posterum Episcopo Baltimoren. subjectos fore et esse debere, quibuscumque etc.

Datum Romae . . . 29 Janrii 1791.

L. Card. ANTONELLUS, Praefus.

Shea II, 382, note.

² The bull founding the Diocese of Louisiana and the Two Floridas is not in Hernaez, the *BCPF*, nor *BR*. The date of foundation is given in the brief uniting the Two Floridas to the Vicariate-Apostolic of Mississippi and Alabama, January 21, 1823, *infra*, Document 38.

³ Gams, *Series Episcoporum*, 174.

ing him with the transfer of Louisiana to the United States and at the same time telling him of the wretched condition of religion in the diocese.⁴ Bishop Carroll wrote to Propaganda on February 14, 1804, announcing the Government's purchase of the Louisiana Territory,⁵ and received the following letter in reply:

Summary: We have received your letter of February 14, 1804, in which you announce the purchase of the Louisiana Territory by the American Government. You also mentioned that the faithful in that region had taken recourse to you and that you had answered them by saying that the vacant See would soon be filled. We wrote on April 21, 1804, asking you to mention the names of three or more priests in order that the Congregation could make a choice of a new bishop. In the meantime, the Rev. Patrick Walsh, Vicar-General, wrote to Propaganda on April 1, 1805, announcing that a certain Capuchin, Antonio Sedella, had stirred up a schism, and is causing much scandal in the diocese. He asks that someone be appointed to govern the diocese since he fears that his faculties have expired. Wherefore, His Holiness had judged that no more fitting person could be placed over the diocese than yourself and has given you all the faculties of the diocese in such wise that you may delegate them to another priest. Therefore, it is for you to extinguish as soon as possible the flames of schism so that all scandal may be removed.

R. P. D. Joanni Caroll (sic) Episcopo Baltimorensi.

20 Septembris 1805.

Ex litteris tibi ab hac S. Congregatione scriptis quinta vice eodem exemplo hoc anno transmissis, facile dignoverit Ampl. Tua nos tuas 14 Februarii anni 1804 datas litteras accepisse, quibus ea nunciabas, quae delata etiam Romae fuerant scilicet omnem regionem illam quae Louisianae nomine circumscribitur in foederatae Americae ditionem cecidisse eaque de re incolas illius regionis ad Ampl. Tuam pro ecclesiasticis negotiis confugisse, eisdemque te dedisse responsum se brevi successorem ab apostolica hac S. Sede accepturos, si vacua cathedra in praesentia sit.⁶ Cui rei litteris 21 Aprilis eiusdemque anni datis respondimus, te

⁴ This letter is in the *Baltimore Cathedral Archives*, Case 4-D5, and is printed in *Records*, XX, 272-274.

⁵ *Prop. Arch., Lettere*, vol. 289, f. 356.

⁶ Letter in *Prop. Arch., Lettere*, vol. 287, f. 182.

nobis gratissimum facturum si tres vel plures illius regionis sacerdotes indicare posses, qui moribus, prudentia, pietate, doctrinaque, praestantiores sint, ut ex iis novus praedictae sedi episcopus suffici valeant, ac si certiores nos reddes, nullum in eiusmodi electione impedimentum istam politicam potestatem fore allaturam. Interea R. P. Patritius Walsh, qui se vicarium generalem, et gubernatorem dioecesis Clovisianae et ambarum Floridarum sede vacante subscribit, quas ad hanc S. C. 12 aprilis anni currentis datas litteras scripsit ⁷ significans quemdam virum religiosum Cappuccinum Antonium Sedella ⁸ parochiam invassisse (cui se alter Cappuccinus eiusdem nationis adjunxit) grave schisma conflasse, plures ad factionem suam fideles attraxisse, spiritualeque jurisdictionem, licet ab ipso interdicti poena ob multa sua crimina innodatus fuerit, magno omnium fidelium affectione ac scandalo exercere, quemadmodum a tua, si idem Walsh ad te nondum scripserit, ex litterarum suarum ad Sanctissimum D. N. missarum exemplo hic incluso perspicies, ac quoniam veretur ne suae facultates expiraverint (quod verum non videtur) postulat ut aliquis in ea dioecesi designetur cum facultatibus minime dubiis, qui ex S. Sedis auctoritate gregem jam divisum in unum cogat, atque gubernat. ⁹ Ea de re Sua Sanctitas nemini quam tibi melius

⁷ *Ibid.*, *Congregazioni particolari*, vol. 145, ff. 95-96.

⁸ Antonio Sedella, known as Père Antoine, was born in Granada, Spain, November 18, 1748. He was ordained in 1771 at the Capuchin convent in Granada. He came to Louisiana in 1780, and was made pastor of the parish of St. Louis in New Orleans five years later. The friar was often suspected and accused of intrigues, and in 1805, Walsh, the Vicar-General, for some reason, suspended him. Sedella defied the Vicar's authority, and claimed that the church property belonged to the parishioners, who, at a special meeting, elected him as their parish priest. In 1819, Sedella declined Du Bourg's offer to become Auxiliary Bishop of New Orleans. He died on January 19, 1829, mourned by the entire city. His untold acts of charity were apparently unable to cover the multitude of sins laid at his door by Shea, who calls him the "scourge of religion in Louisiana" (II, 548). New light has been thrown on this much maligned friar through C. W. Bishop's article "Fray Antonio de Sedella" in the *Louisiana Historical Quarterly*, II (1919), 24-37; the documents are printed *ibid.*, 370-392. Cf. also: De Castillo, A., *La Luisiana y el Padre Sedella* (San Juan, Puerto Rico, 1929); *Analecta Ordinis Minorum Capuccinorum* (Rome), XLI (1925).

⁹ Propaganda wrote to Father Walsh on September 21, 1805, telling him that his faculties as Vicar-General had ceased and that the diocese was henceforth under the administration of Bishop Carroll:

R. D. Patritio Walsh, Vicario Generali.

21 Septembris 1805.

Litterae tuae 12 Aprilis elapsi datae infaustum nuncium retulerunt, summumque Pontificem ac Eminimos PP. huius S. C. vehementer con-

idem munus ad interim concredendum esse censuit, atque omnes et singulas facultates tum ordinarias, tum extraordinarias, quas ad hunc usque diem pro ista tua dioecesi tribuit, pro dioecesi nova Orleani sive provinciae Lovisianae impertitus est, ita ut easdem alicui illius dioecesis presbitero tibi beneviso, vel in partem vel in totum valeas communicare exceptis iis, quae episcopalem characterem requirunt donec novus episcopus eidem ecclesiae pastore carenti eligatur, vel alia ratione ab apostolica hac S. Sede provideatur. Itaque tuae partes erunt omni studio atque opera incumbere, ut schismatis flamma quantocius extingatur ut in illa dioecesi omnis offensionis lapis ac petra scandali removeatur. Quae meum demum sunt partes meum quidem tibi studium praecipuum, et eximiam benevolentiam atque observantiam ita profiteor ac defero, ut nullam huius officii partem a me unquam sis desideraturus. Deumque O. M. precor ut te sospitem ac incolumem servet.

Source: *Prop. Archives, Lettere, l'anno 1805*, vol. 289, f. 356.

tristarunt, referebant enim dirum in ipsa dioecesi schisma a viro religioso Cappuccino R. D. Antonio Sedella fuisse excitatum, ut multos etiam fideles in suam partem retorserit, ac in fraudem induxerit, cui schismati se dando nullum aliud remedium suppetere dicis, quam sacerdotem deputare munitum facultatibus minime dubiis cui parere omnino debeant fideles isti.

Revera facultates tibi a praeterito episcopo tributae tum quod ille sedem mutaverit, tum quod tempus eidem episcopo in facultatibus praefinitum jam praeterierit, jam expirasse videntur; quare omnino necesse est facultates renovare. Itaque perpensis omnibus ac examinatis iis, quae a te diligenter cumulateque exposita sunt, Sanctissimus D. Noster omnes et singulas facultates sive ordinarias, sive extraordinarias, quae meritissimo R. P. D. Joanni Episcopo Baltimorensi pro sua dioecesi ab Apostolica hac S. Sede tributae sunt, etiam pro ista dioecesi novi Orleani ad interim eidem episcopo impertitus est donec aliter a S. Sede provideatur, ea etiam ratione ut easdem cuicumque sibi beneviso presbytero in eadem dioecesi commoranti in partem vel in totum communicare valeat. Itaque tuum erit cum eodem episcopo consilia conferre, ut quae ad scandala et offensiones evitandas, quae ad semen schismatis eradicandum, quaeque ad istam dioecesim interim moderandam opportuniore utilioraque sunt suscipi valeant. Interea dispensationes matrimoniales in primo et secundo consanguinitatis gradu in linea transversali quae petebantur pro Adelardo Fortier et Felicitate Fortier nec non alias pro Francisco Romires et Antonia Gena Sanctissimus maxime concessit, deest enim periculum perversionis, vel vitae quod unice attenditur ut huiusmodi dispensationes concedantur. Interea ego omnem tibi operam ac diligentiam, meum polliceor defero, Deumque O. M. precor ut te diutissime servet incolumem. *Prop. Archives, Lettere*, vol. 289, f. 367.

No. 27.

PIUS VII TO CARROLL

APRIL 5, 1808

In the midst of the troubled affairs in Louisiana, Father Walsh died (August 22, 1806),¹ and the diocese was left without anyone to regulate it. Carroll then acted upon Propaganda's letter of September 20, 1805 (*supra*), and, after writing to James Madison, Secretary of State,² concerning the Government's views on appointing a Frenchman, he appointed Father John Olivier as his Vicar-General in Louisiana. The following letter from Propaganda ordered Carroll to appoint Father Charles Nerinckx or some other capable priest as Administrator-Apostolic in Louisiana.

Summary: Some time ago, We provided for the Church in Louisiana by committing it to your jurisdiction. The opportunity for a more satisfactory arrangement has not been forthcoming, and since you have other burdens to bear, We instruct and enjoin you, if you deem it necessary, to appoint Charles Nerinckx or another capable priest as Administrator-Apostolic of Louisiana with the right of an Ordinary. This arrangement is only temporary.

Venerabili Fratri Archiepiscopo Baltimorensi Pius PP. VII Venerabilis Frater, Salutem et Apostolicam Benedictionem.

Sollicitudo Romani Pontificis universam Domini complectens Ecclesiam, nullibi in vinea ab Aeterno Patris Filio plantata deficere operarios patitur, ut per eorum laborem et assiduum studium vera fides, quae una est, sicut unus est Deus et firmiter retineatur et latius propagetur, et spiritualis animarum fructus ad centesimum usque ac ultra concreseat. Alias siquidem Ecclesiae Novi Orleani, seu Provinciae Louisianae in America Septentrionali, suo pastore et Episcopo viduatae providimus, eam ordinariae jurisdictioni fraternitatis Tuae committendo, usquedum aliter disponendi Nobis, ac Sanctae huic Sedi sese offerret occasio quae votis favere videretur.³ Ea tamen nedum propinquante, Teque aliis curis sat graviter onerato, ideo de Venerabilium Fratrum Nostrorum Sanctae Romanae Ecclesiae Cardinalium Congregationi de Propaganda Fide praepositorum consilio, Nos, ne quid forte desideretur quod spirit-

¹ Canon Hassett died in April, 1804.

² The correspondence between Carroll and Madison is given in Guilday, *Carroll*, 707-709; Shea II, 591-594.

³ Letter of Propaganda, Document 26.

ualis vel necessitas vel utilitas illarum partium postulat, fraternitati Tuæ per presentes committimus et mandamus, quatenus, si expedire judicaveris in Domino, ad supradictam Louisianam Provinciam, aut dilectum Filium Carolum Nerinx,⁴ de cujus zelo et virtute plurimum in Domino confidimus, aut eo forsitan se imparem sentiente, alium idoneum, quem noveris, presbyterum Saecularem vel Regularem, auctoritate Nostra Apostolica deleges ac mittas, cum qualitate Administratoris Apostolici et juribus Ordinarii, ad tempus tamen Nostro et Sanctæ Sedis placito, duraturum, juxtaque instructionem tibi ab eadem Congregatione transmittendam, in contrarium facientibus non obstantibus quibuscumque.⁵

Datum Romæ, apud Sanctam Mariam Majorem sub annulo Piscatoris, die v Aprilis, MDCCCVIII.

L. Card. ANTONELLUS.

Sources: *Prop. Arch., Scritture rif., America Centrale, Code. 3, f. 335*, in *St. Louis Catholic Historical Review*, I (1918), 73.

Translation *ibid.*, loco cit., 74; *CHR*, IV, 56, note; Howlett, W. J., *Life of Charles Nerinckx* (Techy, Ill., 1915), 190-191; Shea II, 596-597; Maes, *Life of the Rev. Charles Nerinckx* (Cincinnati, 1880), 293.

No. 28.

PIUS VII

APRIL 8, 1808

The Diocese of Baltimore embraced all the territory subject to the Government of the United States.¹ It was soon evident to

⁴ Charles Nerinckx was born on October 2, 1761, in Heffeling, Brabant. Ordained to the priesthood on November 4, 1785. He was later obliged to hide from the revolutionary armies which invaded the Netherlands in 1793. Nerinckx came to the United States in 1804 and began his remarkable career as a missionary in Kentucky. During this time, he founded the Congregation of the Sisters of Loretto. He died on August 12, 1824. Cf. Howlett, *Life of Charles Nerinckx*; *St. Louis Catholic Historical Review*, I, 157-175.

⁵ Nerinckx refused the burden and Carroll had difficulty in persuading any of his priests to accept the charge. William Du Bourg finally consented to become Administrator Apostolic, four years after Carroll had received his letter of instructions from Propaganda. Du Bourg's letter of appointment from Carroll is dated, Baltimore, August 28, 1812; it is printed, together with a translation, in the *St. Louis CHR*, I, 74, 75.

¹ Cf. Document No. 25, note 1.

Bishop Carroll that little religious progress could be made unless his vast diocese were divided. The subject was broached at the First National Synod of the Clergy held at Baltimore, November 7, 1791 and Carroll wrote to Propaganda the following year (April 23, 1792) that several with whom he had consulted on the matter felt that another diocese should be created by the Holy See. "For although neither the number of priests nor of the laity is so great that they could not be taken care of properly by one bishop if they all lived within easy reach, nevertheless, on account of the great distance which separates them from the bishop and from one another, it is impossible for them to know their priests or to be known by them".² Antonelli answered Carroll on September 29, 1792, saying that Rome thought it better to appoint a coadjutor than to create a new See.³ However, Carroll again took up the matter with Antonelli seven years later and on October 12, 1799 wrote: "If any action is taken to divide this most vast diocese, I would hear with great pleasure that this has been done by the Holy See".⁴ Finally, Rome decided to acquiesce and Propaganda wrote to Carroll saying that one new See would hardly be sufficient; it would be better if four or five new dioceses were established. Carroll was requested, therefore, to name the cities where the episcopal Sees could be erected, to give the boundaries of the projected Sees, and the names of the priests whom he deemed worthy to be raised to the episcopal dignity.⁵ Carroll wrote to the Holy See on November 23, 1806, stating that new episcopal Sees should be founded at Boston, New York, Philadelphia, and Bardstown; the founding of a fifth See, embracing the territory lying between the Ohio River and the Mississippi with Canada on the North, could be postponed until later. The names of the priests whom Carroll suggested for the new Sees were: Cheverus for Boston, Egan for Philadelphia, and Fathers Badin, Nerinckx, and Flaget for Bards-

² *Prop. Archives, Atti* (1792), ff. 142-155, no. 13.

³ Father Laurence Graessl, whom Carroll chose as his Coadjutor died before he could be consecrated, and in his stead Father Leonard Neale was appointed coadjutor and consecrated in Baltimore on December 8, 1800. Guilday, *Carroll*, 575-576.

⁴ Shea II, 420.

⁵ *Prop. Archives, Lettere*, vol. 283, f. 269.

town.⁶ Propaganda added to these the names of three Dominicans, Luke Concanen, John Connolly, and Joachim Cowan for the Diocese of New York. Pius VII approved the suggestions of Bishop Carroll and created the four Sees of Boston, New York, Philadelphia, and Bardstown. Cheverus was appointed to the See of Boston, Concanen to New York, Egan to Philadelphia and Flaget to Bardstown.

Summary: The Pope rejoices at the growth of the Church in the United States and realizes the need of more episcopal Sees in such an extensive region. He therefore decrees the creation of new Sees in New York, Philadelphia, Boston, and Bardstown (Bardj-Goun). The four Sees are made suffragan to the Archdiocese of Baltimore.

PIUS PP. VII.

ad perpetuam rei memoriam.

§ 1. Ex debito pastoralis officii superna Dei providentia humeris nostris impositi onus ferentes totius gregis dominici, illis praecepit ovibus quae regiones a Sede hac apostolica, ubi catholicae centrum est unitatis, longe dissitas incolunt, maiori consulendum sedulitate censemus, ut in adventu pastoris aeterni intra verum ovile per apostolicam curam repertae, ad coelestia valeant pascua vocari feliciterque perducī.

§ 2. Magna siquidem cum laetitia accepimus catholicam religionem in Americae foederatis provinciis quotidie magis virere ac efflorescere, numerumque fidelium, qui suavi eius iugo colla submittunt, frequentiorē favente Deo undique cerni et copiosiorē. Quum itaque unus, qui in civitate Baltimorensi Episcopus constitutus est et pastor existit, tanto tantumque inter se disiunctis locis succrescenti gregi pascendo satis esse non possit, nos quo magis agnos Christi novellos pastoralī custodia et auxilio indigere cognoscimus, eo celerius ad novos pastores, per quos et locorum distantiae minuantur, et spiritualia pabula multiplicentur, augendos properamus.

§ 3. Hinc re mature perpensa cum venerabilibus fratribus nostris Sanctae Romanae Ecclesiae Cardinalibus Congregationi de Propaganda

⁶ Carroll did not suggest an incumbent for the See of New York. In his letter to Propaganda, June 17, 1807, he says: "It seems necessary that in the beginning the bishop of Boston should exercise jurisdiction over the territory in which, in my previous letter, I included the diocese to-be of New York. For none of the priests residing in that territory appear to me suited for the episcopacy. I therefore refrain from recommending anyone for that responsible post". Cf. O'Daniel, "Concanen's Election to the See of New York" in *CHR*, II, 20, note.

Fide praepositis, de fratrum eorundem consilio, quatuor novas episcopales sedes in recensitis provinciis pro quatuor respective Episcopis, nunc et in posterum, quodcumque huiusmodi sedes vacare contigerit, per nos et Apostolicam Sedem eligendis atque constituendis, auctoritate apostolica tenore praesentium erigimus atque constituimus: scilicet primam Neo-Eboraci, quae totam huius nominis provinciam et partem orientalem provinciae Neo-Caesareae priori finitimam habeat pro dioecesi; secundam Philadelphiae, cuius dioecesis complectatur duas integras provincias Pensilvaniae et Delavare, ac praeterea partem occidentalem et meridionalem provinciae Neo-Caesareae; tertiam Bostoniae cum dioecesi, intra quam istas includimus provincias, nempe novam Stantoniam Massachatensem, insulam Rhodi, Connecticut et Vermont; quartam Bardj-Goun, idest in oppido seu civitate Bardensi, eique in dioecesim statuimus provincias tam Hentuchiensem quam Tenassensem, ac illas quoque donec a Sede hac Apostolica aliter provideatur regiones, quae a ripa occidentali fluminis Ohio inter occidentem et septemtrionem excurrunt ad ingentes lacus, qui eas inter et Canadensem dioecesim interiacent, hasque legendo pertingunt ad fines Pensilvaniae.

§ 4. Has porro episcopales sedes ita a nobis, ut praefertur, erectas et constitutas episcopalibus iuribus, privilegiis, honorificentis, praerogativis, immunitatibus, caeterisque gratiis et indultis per alias sedes episcopales haberi et gauderi solitis et consuetis omnes et singulas de benignitate apostolica condecoramus ac insignimus. Episcopis vero huiusmodi sedium episcopalem iurisdictionem suis in ecclesiis, civitatibus et dioecesibus libere exercendi, omniaque et singula, quae sunt ordinis et iurisdictionis, seu alterius cuiuslibet muneris episcopalis, quaeque alibicumque constituti Episcopi tam de iure et consuetudine, quam alias quomodolibet intra dioeceses, civitates et ecclesias proprias gerere ac facere solent et possunt, similiter gerendi et faciendi facultatem plenam et amplam concedimus atque tribuimus. Denique praememoratas ecclesias ac unamquamque earum in provinciales et suffraganeas ecclesiae Baltimorensis, quam hodie in archiepiscopalem et metropolitanam ereximus, de consilio et auctoritate praedictis damus et assignamus, nec non ut illarum Episcopi pro tempore existentes iuri metropolitico Archiepiscopi Baltimorensis. Clerus autem et populus suis respective Episcopis quoad episcopalem, dicto tamen Archiepiscopo quoad archiepiscopalem et metropolitancam iurisdictionem et superioritatem debeant semper subiacere, mandamus atque praescribimus.

§ 5. Decernentes easdem praesentes literas firmas semper et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac iis ad quos spectat, et in futurum spectabit, plenissime suffragari; sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii nostri apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.

§ 6. Non obstantibus apostolicis, ac in universalibus provincialibusque et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, caeterisque etiam speciali et expressa mentione seu derogatione dignis, contrariis quibuscumque.

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris, die VIII. aprilis MDCCCVIII., pontificatus nostri anno IX.

Sources: *Prop. Arch., Scritture rif., America Centrale*, vol. III, ff. 268-274; De Martinis, IV, 509-510; *BCPF*, IV, 339-341.

No. 29.

BRIEF OF PIUS VII

APRIL 8, 1808

The four new Sees, Boston, New York, Philadelphia, and Bardstown were made suffragan to the See of Baltimore which was raised to the dignity of an archdiocese. The following brief of Pius VII constituted the hierarchy in the American Church.

Summary: Since the Catholic religion was first planted in Maryland and since Pope Pius VI established an episcopal See in Baltimore, where the greater number of Catholics reside, having considered that the city of Baltimore is so situated that easy recourse may be had to it from all parts of the country, Pius VII decrees that Baltimore be elevated to the rank of an archdiocese. The four new Dioceses of New York, Philadelphia, Boston and Bardstown are made suffragan to the archdiocese. The boundaries of the archdiocese are given.

PIUS PP. VII.

ad futuram rei memoriam.

§ 1. Pontificii muneris nobis licet immerentibus ex alto concrediti paterna nos cura sollicitat, ut cathedrales ecclesias, quas vigil praesulum studium, gratia opitulante divina, florentiores effecit, eo elatius erigamus, quo utilius praeminens illarum decus ad Omnipotentis Dei gloriam Christique fidelium devotionem augendam conferre posse conspicimus atque confidimus.

§ 2. Quum itaque religio catholica in Marilandiam, quae una est ex Americae foederatae provinciis, primum invecta, eas de rore coeli accepisset benedictiones, ut inde per operarios animarum zelo flagrantes in

reliquas imperii eiusmodi regiones propagata altas ubique radices ageret; recolendae memoriae Pius PP. VI. praedecessor noster, quo magis fidei incrementis et fidelium commodis opportune istic consularet, ea in civitate, cui nomen Baltimor, quaeque in Marilandia sita est, et in qua maior debebat catholicorum pars, commercioque cum caeteris provinciis aptior videbatur, sedem episcopalem erexit, ibique venerabilem fratrem Ioannem Carroll in Episcopum et pastorem constituit, et alias prout in ipsius praedecessoris apostolicis literis in simili forma brevis die VI. novembris MDCCLXXXIX. expeditis fusius continetur; eumque Domini Salvatoris nostri benignitate cultores vineae suae mirifice foecundante factum subinde sit, ut orthodoxa eius fides in omnes modo Americae foederatae provincias longe lateque diffusa novos praesules, qui multiplicatis fidelibus, seorsim tamen immanique saepe a Baltimore distantia hic illic morantibus proprius assistant, videatur expetere:

§ 3. Nos illud potissimum attendentes, quod sicut civitas Baltimore loci sui opportunitate magnam praebet cunctis foederatae Americae partibus commercium cum ea habendi commoditatem, ita facile commodumque erit catholicis partium earundem tam ecclesiasticis quam saecularibus pro suis iustitiae causis ad eam recurrere, idcirco de venerabilium fratrum nostrorum Sanctae Romanae Ecclesiae Cardinalium Congregationi de Propaganda Fide praepositorum consilio praedictam sedem episcopalem Baltimorensis civitatis in archiepiscopalem et metropolitanam sedem et caput aliarum sedium totius Americae foederatae auctoritate apostolica, tenore praesentium, declaramus, facimus atque instituimus.

§ 4. Eique omnia et singula iura, privilegia et praerogativas ab illis sedibus archiepiscopalibus et metropolitanis haberi et gauderi solitas et consuetas plenarie attribuimus et assignamus; deinde venerabili fratri Ioanni praenominato, qui adhuc episcopalem praedictam obtinet sedem, pro singularibus suis in religionem catholicam et Sedem Apostolicam meritis Archiepiscopi titulum, ita ut posthac Archiepiscopus Baltimorensis sit nuncupandus, una cum delatione pallii et crucis, aliisque insigniis et honoribus, iuribus et privilegiis, gratiis quoque et indultis, quibus caeteri Archiepiscopi de iure, usu et consuetudine potiuntur, fruuntur et gaudent, eodem plane modo et absque ullo prorsus discrimine tam ipsi, quam ipsius futuris in Baltimorensi archiepiscopatu successoribus, auctoritate et tenore praedictis concedimus atque conferimus.

§ 5. Praeterea eidem archiepiscopali et metropolitanae sedi Baltimorensi quatuor novas episcopales ecclesias, nempe Neo-Eboraci, Philadelphiae, Bostoniae et Bards-Goun per nos hodie erectas, aliasque in eisdem foederatae Americae partibus per Apostolicam Sedem in posterum erigendas, de eorumdem Cardinalium consilio, ac eadem auctoritate tamquam provinciales adscribimus, ac earum Episcopos pro tempore existentes in Baltimorensis Archiepiscopi suffraganeos, qui veluti membra capiti iuri eius archiepiscopali et metropolitico subsint, accensemus; ac huiusmodi ecclesiarum clerum populumque universum, quo-

rum causae ad dictum Archiepiscopum iuxta sacrorum canonum statuta referantur, ipsi Archiepiscopo quoad archiepiscopalia et metropolitana iura subiicimus. Demum pro dioecesi, quae archiepiscopalis ecclesiae Baltimorensis sit deinceps peculiaris et propria, statuimus ei atque praefigimus tam Marilandiam, quam reliquas regiones, quas habet a meridie ad Georgiam usque inclusive, donec tamen provisum aliter fuerit ab hac Sancta Sede, cuius auctoritatem sartam tectamque volumus in praemissis sicut et memoratae congregationis Cardinalium.

§ 6. Mandantes propterea eidem Archiepiscopo nunc et pro tempore existenti in virtute sanctae obedientiae, ut eidem congregationi obsequenter pareat, eiusque iussa fideliter adimpleat, acta visitationis suae archiepiscopalis ecclesiae debitis temporibus ad eam transmittat, eamque de omnibus faciat certiore, quae spirituali bono gregis sibi commissi, et ecclesiarum suffraganearum amplitudini magis in Domino noverit profutura.

§ 7. Decernentes easdem praesentes literas firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis, ad quos spectat et in futurum spectabit, plenissime suffragari, et ab omnibus inviolabiliter observari; sique in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii nostri apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.

§ 8. Non obstantibus apostolicis, ac in universalibus provincialibusque et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, caeterisque etiam speciali ac expressa mentione et derogatione dignis contrariis quibuscumque.

Datum Romae, apud S. Mariam Maiorem sub annulo Piscatoris die VIII. aprilis MDCCCVIII., pontificatus nostri anno IX.

Sources: De Martinis, IV, 510-511; *BCPF*, IV, 341-343; Hernáez, II, 778.

No. 30.

PIUS VII TO RICHARD LUKE CONCANEN

APRIL 8, 1808

There were three names proposed for the See of New York, all three of them Dominicans (Cowan, Concanen, and Connelly). Pius VII himself chose Concanen for the new See, and appointed him by the following Brief.

Summary: Having founded a new episcopal See in the city of New York, subject to the Metropolitan See of Baltimore, We

immediately turned our eyes upon you as the person best fitted to become its first bishop. We, therefore, appoint you Bishop and pastor of the See of New York. Accept, then with prompt obedience, the yoke of the Lord which We impose upon you this day. You shall as soon as possible erect a cathedral church in New York, erect a diocesan seminary, etc. You may further do whatever else you may judge in the Lord will aid the increase of the Catholic Faith. You should in due time send to the Holy See an account of the visitation of your diocese.

*Dilecto filio Richardo Lucae Concanen Ordinis Fratrum Praedicatorum electo Neo-Eboracensi.*¹

PIUS PP. VII

salutem et apostolicam benedictionem

Dilecte fili. Apostolatus officium, meritis licet imparibus, Nobis ex alto commissum etc. gubernare. Quum itaque ob rationes et causas in aliis Apostolicis Nostris in simili forma Brevis hodie expeditis Litteris satis expressas, Neo-Eboraci, quae in Americae provinciis foederatis consistit, unam erexerimus Episcopalem Sedem cum suae dioecesis districtu, et cum subiectione quoad metropoliticum jus Ecclesiae Baltimorensi in Archiepiscopalem et Metropolitanam per Nos constitutae, prout iisdem in Litteris, quarum etc., uberius continetur; quumque de praeficiendo ejusmodi Sedi personam utilem ac fructuosam cum ven. fratribus Nostris S. Romanae Ecclesiae Cardinalibus Congregationi de Propaganda Fide praepositis deliberationem habuerimus diligentem, statim ad Te, qui de legitimo matrimonio procreatus, et Ordine Fratrum Praedicatorum expresse professus, et in sacro presbyteratus ordine ac aetate canonica es constitutus, et de cujus vitae munditia, morum honestate, prudentia, doctrina ac praesertim Catholicae Fidei zelo luculenta apud Nos perhibentur testimonia, direximus oculos mentis Nostrae, Teque propterea a quibusvis etc. censentes, eandem Neo-Eboraci Sedem Episcopalem de persona tua Nobis ac memoratis Cardinalibus ob tuorum exigentiam meritorum accepta, de ipsorum fratrum consilio, auctoritate Apostolica tenore praesentium providemus, illique Te praeficimus in episcopum et pastorem; curam, regimen et administrationem Tibi

¹ Richard Luke Concanen was born in Connaught, Ireland, about the year 1747. At the age of eighteen or nineteen, he entered the Dominican Order and was ordained to the priesthood between 1770-1771. He died at Naples, June 19, 1810, after attempting to set sail for his diocese. Cf. O'Daniel's two excellent articles on Concanen in *CHR*, I, 400-421, II, 19-46; three documents with their translations are given *ibid.*, II, 73-82. A bibliography is given at the beginning of the articles.

eiusdem Sedis Neo-Eboracensis plenarie committendo; facultatemque etiam, cujus vigore consecrationis munus a quocumque Catholico antistite gratiam et communionem Sedis Apostolicae habente, accitis et in hoc sibi assistentibus duobus aliis episcopis, vel si commode reperiri nequiverint, duobus eorum loco presbyteris secularibus vel regularibus eandem gratiam et communionem habentibus, praestito tamen prius per Te in ejus manibus juxta pontificale Romanum juramento solito, Te suscipere, illi vero nonnisi postquam a Te hujusmodi juramentum acceperit, idem munus Tibi impendere, respective possitis et valeatis adjicimus atque attribuimus. Jugum igitur Domini, quod, eo inspirante, Tibi Nos hodie imponimus, prompte suscipe devotione et Neo Eboraci Ecclesiam, quam Tibi Ipsi tradimus administrandam, eo studio gubernare ut iste grex Christi, qui animam suam pro ovibus posuit, se pastori provido et administratori fructuoso commissum esse laetetur. Quapropter in civitate Neo-Eboracensi unam ecclesiam ad formam Cathedralis quam citius poteris erigi facito, et prout temporum rerumque permiserit ratio, aliquem Tibi clerum divino cultui Ecclesiaeque ejusdem servitio addictum instuito, nec non dioecesanum clericorum seminarium vel eadem in civitate vel alibi, ubi satius expedire censueris, erigito in ecclesiasticis proventibus; magis quae Dei, quam quae tui sunt, quaerito, curamque in illis diligentem adhibito, demum praeter ea quae in praedictis litteris ut a Neo Eboraci episcopis fieri possent indulsumus ac disposuimus, Tu quaecumque alia, quae incremento Catholicae Fidei, utilitati gregis et ecclesiae cultui ac decori profutura in Domino duxeris, libere agito: salva tamen semper in praemissis S. Sedis Nostrae et Congregationis praedictae auctoritate. Hinc his, quae desuper tuo commendavimus zelo illud nunc addimus ac expresse Tibi mandamus ut ejusdem Congregationis jussis obedientiam praestes, relationem visitationis Ecclesiae tuae tempore debito ad eam transmittas, eamque de omnibus diligenter reddas instructam, quae gregis Tibi commissi et Catholicae istarum partium religionis interesse posse cognoveris. Decernentes easdem praesentes Litteras firmas etc. obtinere ac tibi plenissime suffragari, et ab omnibus inviolabiliter observari, sicque etc. judicari etc. attentari. Non obstantibus Apostolicis etc. constitutionibus et ordinibus [ordinationibus] caeterisque etiam speciali ac expressa mentione seu derogatione dignis, contrariis quibuscumque etc. Datum apud S. Mariam Majorem 8 septembris [aprilis]² Pontificatus Nostri anno nono.

² This document is evidently misdated. As O'Daniel has pointed out in *CHR*, 74, note, the words "hodie expeditis", referring to the bulls *Pontificii muneris* and *Ex debito pastoralis*, force the conclusion that this letter was likewise written on April 8, not on September 8. Moreover, Concanen was consecrated on April 24, 1808. He was, therefore, Bishop of New York whereas the papal brief is directed to *electo Neo-Eboracensi*; the last part of the brief directs him to be consecrated, where-

Sources: *Prop. Arch., Scritture rif. nei Congr. Dal Canada all' Ismo di Panama, dal 1791 a tutto il 1817*, Vol. III. ff. 306-07, in *CHR*, II, 74, 75.

No. 31.

PROPAGANDA TO CARROLL

MAY 24, 1808

The two Papal Briefs establishing the Archdiocese of Baltimore and the four new Sees of Boston, New York, Philadelphia and Bardstown were accompanied by the following commendatory letter from Propaganda.

Summary: The accompanying Briefs will show how great confidence the Holy See places in your zeal and prudence. You will see that the four new Sees have been erected according to your wish. Baltimore has been erected into a Metropolitan See, and the three ecclesiastics whom you recommended have been appointed to the new Sees. The Pontiff himself has chosen Luke Concanen for the See of New York, for which you suggested no candidate.

May 24, 1808.

Quando¹ nel 1808 fu inalzata la chiesa di Baltimora alla dignità metropolitana, e le furono fatti quattro nuovi vescovi suffraganei, così scrisse la Sacra Congregazione a quel nuovo Arcivescovo sotto il dì 24 maggio, 1808: Quantum pietati, ac prudentiae Amplitudinis Tuae fidat, deferatque Sanctissimus Dominus Noster Papa Pius VII, et Sacra haec Congregatio de Propaganda Fide effectus ipse demonstrat, rerumque mox gestarum series, quam Apostolica scripta, seu Brevia his literis adnexa abundius Tibi declarabunt. Videbis siquidem Tuis votis, precibusque novas quatuor Sedes in istis Foederatis Provinciis, ac dioeceses constitutas, auctum Te metropolitico jure, ac dignitate, electosque in antistites novarum ecclesiarum tres ecclesiasticos viros illos, quos in Tuis literis summis laudibus commendasti. Quia vero Ecclesiae Neo-Eboracensi neminem, quem praeponeremus, commendasti,² virum elegit Sanc-

as, in the assumption that the document was issued on September 8, he was already consecrated.

¹ This document is not the original letter written to Carroll but a copy preserved in the *Propaganda Archives*. It is evidently not a mere summary but a copy of the original without the formal introductory and closing paragraphs.

² Cf. Document 28, note 6.

tissimus Dominus Noster, quem longa experientia, et opinio ipsa totius Urbis tantae dignitatis dignissimum probat, quemque Tu ipse carissimum Tibi tam frequenti argumento probasti, Richardum nempe Lucam Concanen Sacri Ordinis Praedicatorum professorem, ac theologum Casanatensem.

Sources: *Prop. Arch., America Centrale*, Vol. III, ff. 306-307. *Analecta Sacri Ordinis Fratrum Praedicatorum* (January, 1900), 444; *CHR*, II, 77, 78.

Translated *ibid.*, 22-23.

No. 32.

PIUS VII TO NEALE

JULY 9, 1817

Among the most important documents sent by the Roman Pontiffs to the American Church, are those relating to the problem of trusteeism. The first papal brief to take notice of this vexing problem is the following one in which Archbishop Neale is given the right to proceed against two priests of Charleston, S. C., Gallagher and Browne, who had defied the archbishop's authority and with the approval of the trustees continued their ministrations, although suspended.

Simon Felix Gallagher had come to the United States in 1793. He became a thorn in the side of the Church almost from the moment he set foot on American soil. Having sent the priest to Charleston, S. C., Bishop Carroll had shortly to remove him owing to a report from the trustees that Gallagher had become involved in serious misdemeanours. Gallagher resented the removal and went personally to Rome to appeal his case. When he returned to Charleston he was suspended by Bishop Carroll whereupon, with the connivance of the trustees, Gallagher opened a public chapel in his own house. Thus the trustee schism in the South was born. Gallagher was joined soon afterwards by Father Robert Browne, whom Carroll had appointed to the congregation in Augusta, Ga., in 1810. When Archbishop Neale ordered Browne to return to Augusta, instead of obeying, he went to Rome in Gallagher's behalf. Browne succeeded in deceiving the Holy See to such an

extent that he returned with a letter from Cardinal Litta, Prefect of Propaganda, in which he and Gallagher were vindicated. Neale was ordered to absolve the two priests from all censures and reinstate them, to recall Father Clorivière whom he had appointed to the parish in Charleston, and if the archbishop refused to absolve them then the censures were removed by Apostolic authority.¹ Neale immediately repudiated the letter which he knew to have been obtained surreptitiously and in a letter to the Holy See (March 6, 1817) he complained bitterly of the ease with which Browne and Gallagher succeeded in winning Propaganda to their side against the testimony of Neale himself. This letter opened the eyes of the authorities in Rome, and Pius VII hastened to mend matters and to authorize the Archbishop to proceed against the two priests.²

Summary: Although ill at the time, nevertheless the gravity of the matter referred to in your letter demanded Our immediate consideration. The many excesses and the obstinacy of Gallagher are evident from the numerous letters received here. You are free to proceed with full and free rights against the priest and his associate Browne.

We merely suggest the advisability of placing an English priest in Charleston in place of the Frenchman, Clorivière.—The Propaganda will have all consideration for you and the other American bishops although the canons concerning *appellationes* must remain firm.

¹ The document according to Shea was dated, Rome, October 5, 1816. Shea III, 32-33.

² Cf. *Prop. Archives, Scrit. rif., America Centr.* (1813-1820): *Carolina Causa di Browne e Gallagher che appellano alla S. Sede, dal 1813 a tt. il 1820*; De Clorivière, J. P., *Further Documents showing the Cause of the Distressed State of the Roman Catholic Congregation in the City of Charleston* (Charleston, 1818); Guilday, *John England*, I, 164-282; Dignan, P., *Legal Incorporation of Church Property in the United States* (Washington, 1933).

*Venerabili fratri Leonardo Archiepiscopo Baltimorensi,*³

PIUS PP. VII.

Venerabilis frater, salutem et apostolicam benedictionem.

§ 1. Literas tuas diei XIII. aprilis huius anni celerrime accepimus, sexagesimâ quintâ scilicet die postquam fuerant datae. Et quamquam eo tempore adversâ valetudine⁴ (qua nunc optimâ favente Deo utimur) premeremur, negotium tamen de quo in iis agebatur, pro rei gravitate proque studio in te nostro, diligenter nullâque morâ interpositâ considerandum suscepimus. Mox ven. fratre Laurentio S. R. E. Cardinali Litta Episcopo Sabinensi et Congregationis de Propagandâ Fide praeffecto ad nos vocato, cum eo totam rem accurate studioseque perpendimus. Nec multis opus fuit ad eam conficiendam: ex pluribus enim literis, quae istic advenerant, Congregatio ipsa plena iam constare cognoverat de gravibus publicisque presbyteri Felicis Simeonis Gallagher excessibus, deque intolerandâ eius pertinaciâ, qua non modo sese prorsus incorrigibilem multorum annorum spatio praebuit, sed etiam malis artibus semel atque iterum praefatae Congregationi insidias paravit, ut ex literis bo. me. Cardinalis Borgiae iam satis apparet. Quare et ex Congregationis sententiâ et iudicio nostro causa appellationis omnino finita est, tuque, ven. frater, contra ipsum Gallagher⁵ eiusque socium Robertum Browne pleno liberoque iure procedere poteris. Nos enim omnia quaecumque gesseris rata ac firma habenda esse decernimus.

§ 2. Sapientiae vero tuae erit considerare, utrum sacerdos Gallus

³ Leonard Neale, the second Archbishop of Baltimore was born at Port Tobacco, Maryland, on October 15, 1746. He entered the Society of Jesus and was ordained to the priesthood in 1773 and came to the Maryland Missions in April, 1783. In 1799, he was appointed Coadjutor to Bishop Carroll and was consecrated by Carroll on December 7, 1800. Neale succeeded to the See of Baltimore on December 3, 1815 and died on June 18, 1817. Reuss, *Biographical Cyclopaedia*, 78; Clarke, *Lives of the Deceased Bishops of the Catholic Church in the United States* (Milwaukee, 1898), I, 116-139.

⁴ The illness to which Pius VII refers, was due, evidently, to a fall which he met with on June 26, 1817; the accident was accompanied with alarming symptoms. De Montor, *Roman Pontiffs*, II, 710.

⁵ The numerous letters on Gallagher received by the Holy See were those of Du Bourg to Cardinal Litta, May 4, 1817, expressing his disapproval of the Sacred Congregation's action (*Prop. Arch., Serit. rif., Amer. Centr.*, vol. 5, ff. 84-86); Bishop Flaget to Litta, May 11, 1817, expressing his alarm at the probable consequences of the Congregation's letter to Gallagher (*ib.*, ff. 86-87); a dossier of documents on the Charleston schism from Archbishop Neale, despatched on March 2, 1817, in which the full facts of the case were given (*ib.*, ff. 40-55).

Cloriviere⁶ pastoris officium in civitate Carolopoleos retinere debeat, an potius expediat, alium ei ex Anglicanâ natione presbyterum suffici, qui ob faciliorem linguae usum fidelibus illius congregationis esse fortasse possit acceptior.⁷ Nihil tamen hac de re tibi neque praecipere, neque ex animi nostri sententiâ intendimus insinuare: in tuâ enim prudentiâ conscientiam nostram exonerantes, integrum plane tibi esse volumus id decernere, quoad magis in Domino ad animarum utilitatem catholicaeque fidei praesidium opportunum iudicabis. Plura ad te a congregatione ipsâ de toto hoc negotio scribentur; volumus tamen et nos haec tibi significare, ut intelligas quanti te faciamus, quantique ponderis apud nos tuae fuerint expostulationes.

§ 3. Quod ad reliquum vero tempus pertinet, omnem quidem tui Congregatio de Propagandâ Fide ceterorumque Americae Episcoporum, ut par est, rationem habebit, quin tamen *sacrorum et antiquorum canonum statuta* circa appellationes, quae Concilium ipsum Tridentinum *illibata persistere* voluit, abrogentur. Interea cum peculiaribus benevolentiae in te nostrae significationibus apostolicam benedictionem tibi gregique tuo peramanter impertimur.

Datum Romae, apud S. Mariam Maiorem, sub annulo piscatoris, die ix. iulii MDCCCXVII., pontificatus nostri anno XVIII.

Source: De Martinis, IV, 557-558.

No. 33.

PIUS VII TO EDWARD FENWICK

JUNE 19, 1821

The Diocese of Bardstown, as established in 1808 embraced the States of Kentucky, Tennessee, Ohio, and the Old Northwest Territory. On October 18, 1819, Bishop Flaget sent a *Relatio* of his diocese to Propaganda and among other matters mentioned that the

⁶ Joseph Pierre Picot de Clorivière was born in Brittany in 1768. He was forced to flee from France for political reasons and came to the United States where he entered St. Mary's Seminary, Baltimore and was ordained to the priesthood in 1812. Carroll sent him to Charleston where he was to bear the brunt of Gallagher and Browne's ill-will during the schism. He was appointed director of the Visitation Convent, Georgetown in 1817 where he died on September 29, 1826. Guilday, *Carroll*, *passim*.

⁷ One of the main objections to Clorivière was the fact that he was a Frenchman, whereas the congregation in Charleston was mostly made up of Irish-Americans. The racial question cannot be ignored when considering the causes of the schism.

State of Ohio contained about 250 or 300 Catholic families. "The people generally are very religious, and very well disposed towards the Catholic religion. Monsignor Du Bourg and myself are convinced that a Bishop there would do a great deal of good".¹ Maréchal² was also in favor of establishing a new diocese on the Ohio and wrote to Propaganda to that effect on April 4, 1820.³ Finally, in answer to Propaganda's request, Bishop Flaget wrote to the Holy See on November 5, 1820, stating that he and his Coadjutor, Bishop David, favored the division of his large diocese.⁴ Acting upon this information, Propaganda decreed the erection of the Diocese of Cincinnati on May 21, 1821 and Pius VII in an audience of May 27, commanded that the Apostolic Brief be expedited.

Summary: Since the number of Catholics in the regions coterminous with Kentucky has increased to such an extent that the Bishop of Bardstown is no longer able to care properly for them on account of the distance and the paucity of missionaries, Pius VII decrees the erection of a new See at Cincinnati, which shall embrace the entire State of Ohio. Edward Fenwick, O. P., is appointed bishop of the new See and administrator of Michigan and the Northwest *donec aliter provideatur*.

*Dilecto filio Eduardo Fenwick fratrum Ordinis Praedicatorum professori in novum Episcopum Cincinnatiensis Ecclesiae electo,*⁵

PIUS PP. VII.

Dilecte fili, salutem et apostolicam benedictionem.

Inter multiplices gravissimasque Apostolatus nostri curas non exi-

¹ *Prop. Archives, Amer. Centr.*, vol. IV. no. 124, p. 13, quoted in Lamott, *History of the Archdiocese of Cincinnati* (Cincinnati, 1921), 38.

² Ambrose Maréchal was born at Ingres, France, on August 28, 1764. Ordained in 1792 to the priesthood, he came to Baltimore and labored as a missionary in Maryland. He was appointed Coadjutor to Neale on July 24, 1817, was consecrated by Bishop Cheverus on December 14, 1817, and received the pallium as Archbishop of Baltimore on December 19, 1819. Clarke, *Lives of Deceased Bishops*, I, 239-255; Guilday, *Carroll, passim*; id., *England, passim*.

³ Lamott, *op. cit.*, 42.

⁴ *Ib.*, 43.

⁵ The priests proposed for the new See were: Fathers Benedict Fenwick,

guam tenet partem ea, quae dioecesium per universum orbem distributarum respicit statum: siquidem supremae potestatis iudiciiue nostri est illas moderari, earumque limites constituere vel immutare, prout habitâ temporum ac circumstantiarum ratione fidelium utilitati conducere dignoscimus. Quum autem, sicut accepimus, in regionibus, quae Kentuckio in foederatis Americae provinciis conterminae sunt, ita catholicorum numerus, divinâ favente gratiâ, sit auctus, ut Bardensis Episcopus, cuius administrationi terrae illae commissae fuerunt, tum locorum distantîâ, tum operariorum paucitate, earum curam iam gerere nequeat; nos de venn. fratrum nostrorum S. R. E. Cardinalium negociis Propagandae Fidei praepositorum consilio huiusmodi necessitatibus prospicere cupientes, statuimus atque decernimus, ut nova Episcopalis Ecclesia in civitate Cincinnati, quae totam Ohio provinciam complectatur, erigeretur, prout auctoritate apostolicâ, tenore praesentium, in novam Episcopalem Ecclesiam Cincinnatensem cum omnibus iuribus et praerogativis iuxta sacros canones ac facultatibus tum ordinariis tum extraordinariis Episcopis pro tempore concedendis, quae ceteris earumdem provinciarum Episcopis concedi solent, erigimus.

Nos quoque ad praedictae novae Ecclesiae sic erectae provisionem celerem atque felicem, in qua nullus, praeter Nos, se intromittere potest, paterno ac sollicito studio intendentes, post deliberationem, quam de praeficiendo eidem novae Ecclesiae personam utilem ac fructuosam cum praedictis Venerabilibus Fratribus Nostris S. R. E. Cardinalibus negociis Propagandae Fidei praepositis habuimus diligentem, demum at Te, qui ex legitimo matrimonio procreatus, et in aetate etiam legitima constitutus existis cujusque apud Nos de vitae munditia, morumque

S. J., Edward Fenwick, O. P., Bishop David of Bardstown and Gallitzin. Most of the families in Ohio were German and among all those proposed Gallitzin was the only one who was able to speak the language. The only drawback was the fact that he was not a Dominican and these latter were working in the territory. It was suggested that Gallitzin should enter the Dominican Order and then be consecrated. Edward Fenwick was finally chosen as the first Bishop of Cincinnati. He was born in St. Mary's County, Maryland, on August 19, 1768. He entered the Dominican Order and was ordained to the priesthood in 1793 at Ghent, Belgium. Taken prisoner during the French Revolution, he was released on revealing his American citizenship. His ideal was to found a province of the Dominican Order in the United States and in 1804 he accompanied the first band of Dominicans to Norfolk as Superior. Bishop Carroll assigned Kentucky to them as their field of labor. Fenwick was consecrated on January 13, 1822 by Flaget. On a visit to Rome in 1823, Leo XII gave him \$1,200 for his diocese. On his annual visitation through Ohio and the Northwest, during the year 1832, the bishop contracted cholera and died at Wooster, Ohio, September 26, 1832. O'Daniel, V. F., *Right Rev. Edward Dominic Fenwick, O. P.* (Washington, 1920); Lamott, *op. cit.*, 43-70.

honestate, deque pietate, studio, atque doctrina ac Christianae Religionis, et Catholicae Fidei zelo, ac spiritualium providentia, et temporalium circumspectione, fide digna testimonia perhibentur, oculos mentis Nostrae direximus, quibus omnibus debita ratione pensatis, Te a quibusvis excommunicationis, suspensionis et interdicti, aliisque ecclesiasticis sententiis, censuris et poenis a jure, vel ab homine quavis occasione, vel causa latis, ad effectum praesentium dumtaxat consequendum harum serie absolventes, et absolutum fore censentes, eamdem novam Episcopalem Ecclesiam Cincinnatensem de persona tua Nobis, et nominatis Cardinalibus ob tuorum exigentiam meritorum accepta, de eorumdem Fratrum consilio, auctoritate et tenore praefatis providemus, Teque illi in Episcopum cum facultatibus tum ordinariis tum extraordinariis, quae ceteris earumdem Provinciarum Episcopis concedi solent, praeficimus et Pastorem, curam, regimen et administrationem ipsius Ecclesiae Cincinnatensis tibi in spiritualibus et temporalibus plenarie committendo, Teque pariter adjacentium Provinciarum Michigan, et Northwest administratorem in spiritualibus, cum iisdem facultatibus donec aliter per hanc S. Sedem provideatur, deputando; in Illo, qui dat gratiam et largitur dona, confisi, ut, dirigente Domino actus tuos, praedicta Ecclesia Cincinnatensis, et administratio memorata earumdem Provinciarum, per tuae circumspectionis industriam et studium, utiliter et prospere dirigentur; grataque in ipsis spiritualibus et temporalibus incrementa suscipient. Jugum igitur Domini tuis impositum humeris prompta devotione animi accipiens, curam et administrationem praedictas ita studeas fideliter, prudenterque exercere, ut Ecclesia Cincinnatensis gaudeat se provido gubernatori, et fructuoso administratori esse commissam, Tuque, praeter aeternae retributionis praemium, Nostrum quoque, et Sedis Apostolicae uberius exinde consequi merearis benedictionem et gratiam. Ceterum ad ea, quae in tuae cedere possunt commoditatis augmentum favorabiliter respicientes, Tibi, ut a quocumque, quem tu malueris, Catholico Antistite Sanctae Nostrae Sedis gratiam et communionem habente, accitis, et in hoc ei assistentibus duobus aliis Episcopis, vel quatenus hi commode reperiri non poterunt, duobus eorum loco Presbyteris saecularibus, seu cujuscumque Ordinis et Instituti Regularibus, similem praedictae hujus Sedis gratiam et communionem habentibus, munus consecrationis recipere libere et licite possis ac valeas, ac eidem Antistiti, ut receptis a te, prius Catholicae Fidei professione, juxta articulos pridem a Sancta Sede Nostra propositos, ac Nostro, et Romanae Ecclesiae nomina fidelitatis debitae solito juramento, praedictum munus tibi Auctoritate Nostra impendere licite valeat, eadem Auctoritate Nostra plenam et liberam harum serie tribuimus facultatem. Volumus autem, et eadem Auctoritate praecipimus, atque decernimus, quod nisi receptis a Te per dictum Antistitem juramento, et Professione Fidei hujusmodi, ipse Antistes Consecrationis munus tibi impendere, tuque illud suscipere praesumpseritis, idem Antistes a Pontificalis officii exercitio, et tam ipse, quam tu, a regimine, et administratione Ecclesi-

arumstrarum suspensi sitis eo ipso. Non obstantibus Apostolicis, ac in Universalibus Provincialibusque et Synodalibus Conciliis editis generalibus, vel specialibus Constitutionibus et Ordinationibus caeterisque etiam speciali ac expressa mentione seu derogatione dignis contrariis quibuscumque.

Datum Romae apud Sanctam Mariam Majorem sub annulo Piscatoris die 19 Junii 1821 Pontificatus Nostri Ao 22o.⁶

Sources: Vatican, Secretary of State, *Archives of the Secretary of Briefs*, vol. 4670, in Lamott, J. H., *History of the Archdiocese of Cincinnati* (New York, 1921), 324-326; De Martinis, IV, 593-594, gives only the important part of the document; Hernaez, II, 787.

⁶ The decree of Propaganda and the *ex audientia* with Pius VII are printed in Lamott, *op. cit.*, 323-324:

Decretum Sacrae Congregationis de Propaganda

Fide Habitae die 21 Maii 1821

Cum diu Regionibus quae Kentucky in foederatis Americae Provinciis conterminae sunt, ita Catholicorum numerus, Divina faventa gratia, sit auctus, ut Bardensis Episcopus, cujus administrationi Terrae illae commissae fuerant, tum locorum distantia, tum operariorum paucitate earum Curam jam gerere nequeat, Sacra Congregatio, referente R. P. D. Carolo Maria Pedicini Secretario, ex Archiepiscopi Baltimorensis, aliorumque Episcoporum consilio, censuit ac decrevit, supplicandum esse SSmo pro erectione Novae Episcopalis Ecclesiae in Civitate Cincinnati, quae totam Ohio Provinciam complectatur, ac pro electione R. P. Eduardi Fenwick Ordinis Praedicatorum, viri pietate, prudentia, ac studio maxime commendati, in novam Cincinnatiensem Episcopum cum facultatibus tum ordinariis, tum extraordinariis, quae ceteris eorundem Provinciarum Episcopis concedi solent, et cum spirituali adjacentium Provinciarum Michigan, et Northwest administratione cum iisdem facultatibus, donec aliter per Sanctam Sedem provideatur.

Hanc autem S. Congnisi sententiam SSmo Dno Nro Pio VII, relatum in Audientia habita per eundem D. Secretarium Die 27 Maii 1821, Sanctitas Sua in omnibus approbavit. Litterasque Apostolicas expediri jussit.

Datum Romae ex aedibus dictae S. Congnisi Die 2 Junii 1821.

Vatican Archives of Secretary of Briefs, vol. 4670.

No. 34.

BRIEF OF PIUS VII

JULY 23, 1822

When the Society of Jesus was suppressed in 1773, a special Congregation *De Abolenda Societate Jesu* addressed an encyclical to all bishops empowering and commanding them to take possession in the name of the Holy See of all houses, colleges, goods, rights and appurtenances of what kind soever. Bishop Challoner, the Vicar-Apostolic of London, was satisfied with obtaining the signature of the Maryland Jesuits giving their adherence to the Bull of suppression. The property of the Society remained in the hands of individual former Jesuits until the several trusts were united by an act of the Maryland Legislature into "The Corporation of the Roman Catholic Clergymen", on December 23, 1792. Each holder of land conveyed the property to this body, representing it as trust property. An informal organization had existed among former members of the Society before this time and John Carroll and Leonard Neale joined it, both receiving an allowance. This allowance was increased when Carroll became Prefect-Apostolic and after his appointment to the See of Baltimore in 1789, the revenues of the plantation at Bohemia were assigned to him. The same revenues were received by Archbishop Neale. When Maréchal succeeded to the See of Baltimore, the Corporation refused to continue the payment since he was not a former member of their body, but they offered to pay him five hundred dollars a year for four years until his new cathedral would be able to maintain him. When Maréchal visited Rome in 1821, he presented a Memorial to the Holy See in which he claimed that the Bull establishing the the See of Baltimore vested in the bishop all the property which had been held by the Jesuits in Maryland; secondly, that the 1792 Act of Incorporation granted all this property to the bishop and clergy of Maryland; and, thirdly, that Robert Molyneux had formally agreed on September 20, 1805, to pay Bishop Carroll one thousand dollars a year perpetually; and, lastly, he claimed that certain estates, notably Deer Creek and Whitemarsh had been given not to the Society but to the Catholic Church. The arch-

bishop's case was certainly weak but, nevertheless, a commission of cardinals to whom the affair was referred, reported in his favor and Pius VII issued the famous *Quum nobis*.¹

Summary: Having heard that a controversy has arisen between Archbishop Marechal and the Fathers of the Society of Jesus in Maryland, concerning the payment of an annual pension to the aforesaid archbishop from the estates of the Society, We referred the matter to a commission of three cardinals, Castiglione, Fesch, and della Genga. This commission has decided the case as follows: Father Fortis, General of the Society, shall be bound in virtue of holy obedience to put Archbishop Maréchal in possession of Whitemarsh and all its appurtenances. If the property exceeds two thousand acres, the remaining part shall belong to the Fathers of the Society. If there are grave reasons for not depriving the Jesuit Fathers of this estate, these reasons may be placed before the Sacred Congregation and if they are sufficiently grave, another estate, equal in all respects to Whitemarsh, shall be made over to the archbishop. The latter shall remain in possession of Whitemarsh until the change of estates has been approved by Propaganda. In the meantime, the Jesuit Fathers are not permitted to cease cultivating the estate and if they contract any debt they shall pay it. After the final settlement of this controversy, the archbishop shall bind himself and his successors to acknowledge the Society's rights of possession to all other properties.

PIUS PP. VII.

ad futuram rei memoriam.

§ 1. Quum nobis relatum fuerit² inter venerabilem fratrem Ambrosium Marechal Archiepiscopum Baltimoremensem in foederatis Americae provinciis, ac dilectos filios patres Societatis Iesu in Marylandia commorantes exortam fuisse controversiam de iure, quod sibi vindicat memoratus Archiepiscopus, annuam scilicet et consuetam percipiendi pensionem ex fundis, quos iidem patres sibi penitus vindicant, affirmante Archiepiscopo eiusmodi pensionem sibi suisque successoribus pro mensa episcopali deberi; nos pro pastoralis officii nostri sollicitudine contro-

¹ Shea III, 65-69.

² The documents relating to the Jesuit property in Maryland are given in two scholarly volumes of *Documents* appended to Hughes, *History of the Society of Jesus in North America*.

versiam praedictam expendendam conciliandamque commisimus venerabilibus fratribus nostris S. R. E. Cardinalibus negotiis Propagandae Fidei praepositis, quibus in Congregatione generali habita die tertia iulii vertentis anni millesimi octingentesimi vigesimi secundi, referente venerabili fratre nostro Cardinali Fesch ponente, placuit rem de bono et aequo componere per concordiam inter partes Romae ineundam coram tribus ex praedictis venerabilibus fratribus nostris, scilicet Francisco Xaverio Castiglioni, Iosepho Fesch et Hannibale Della Genga. Quum autem optata huiusmodi concordia ad exitum perducere haudquaquam potuerit, fidem venerabiles fratres nostri in congregatione habita die prima iulii eiusdem anni, referente eodem ponente Cardinali Fesch, omnibus rite perpensis, consuerunt ac decreverunt, sub spe nostrae obtinendae approbationis, stabiliter constituendam esse archiepiscopalem mensam Baltimoreensem super bonis stabilibus, quae felicis recordationis Pius PP. VI. decessor noster anno millesimo septingentesimo octuagesimo nono Episcopo Baltimorensi administranda tradiderat; ac ne ulla in posterum suboriatum dissidii vel contentionis causa, pariter censuerunt, nonnullis standum esse conditionibus, quae hic referuntur, videlicet:

§ 2. I. Ut reverendissimus Pater Aloisius Fortis praepositus generalis Societatis Iesu in virtute sanctae obedientiae, quam Apostolicae Sedi praestare tenetur, reverendissimum dominum Ambrosium Marechal Archiepiscopum Baltimoreensem immittere omnino debeat in possessionem praedii nuncupati White Marsh cum omnibus suis adiunctis, nempe colonis, pecudibus, instrumentis, frugibus, atque annonis, et in eadem sanctae obedientiae virtute praecipiat patribus Iesuitis Marylandiae, ut promptam huiusmodi decreto exequutionem dent intra mensem a reditu eiusdem praesulis in suam dioecesim supputandum.

II. Si praedium White Marsh mensuram excesserit duorum millium iugerorum, sive, ut vocant, arpanarum, ea terrae portio, quae superat, quaeque magis a centro distat, ad patres Iesuitas possidenda pertineat, ducto centro ab ecclesia, quae in eodem fundo sita est.

III. Postquam Archiepiscopus ipsius praedii possessionem adierit, si graves aliquae causae concurrant, quibus expediri videatur, ne patres societatis eodem fundo priventur, liceat praeposito generali eiusmodi rationum momenta exponere sacrae Congregationi, quae iudicabit an mensa archiepiscopalis in eo potius, quam in alio praedio, constituenda sit, firmo semper Archiepiscopi iure.

IV. Si allatae a praeposito generali rationes eae revera futurae sint, ut ad praedii commutationem sacrae Congregationis iudicio deveniendum sit, idem praepositus generalis obligare tenebitur patres Iesuitas Marylandiae, ut loco fundi White Marsh offerant, accedant Baltimorensi Antistiti aliud praedium eiusdem valoris et commoditatis, quod iugera sive arpanas bismille contineat, et fundo White Marsh, quantum fieri potest, aequae respondeat tum quoad positionem et coeli salubritatem, tum quoad fecunditatem. Archiepiscopus vero in pacifica possessione

manebit fundi White Marsh donec conventa permutatio a sacra Congr. approbata fuerit eiusque adprobationis documentum ad Archiepiscopi manus pervenerit.

v. Omni studio curandum erit iisdem patribus, ut praedium White Marsh usque ad diem, in qua Archiepiscopus illius possessionem inierit, eadem industria ac sedulitate excolatur, ac si ipsi perpetuo illud possidere deberent.

vi. Si fundus White Marsh, vel alius pro eo subrogandus, aliquo aere alieno gravatus fuerit ante initam Archiepiscopi possessionem contracto, eius solutio ad patres Societatis Iesu spectabit. Pari modo fructus ab eodem fundo, vel ab illius conductoribus, si qui sunt, provenientes usque ad eandem possessionis diem ab iisdem patribus percipiuntur.

vii. Quoties patres Societatis Iesu in Marylandia commorantes ea omnia diligenter impleverint, quae a sacra Congregatione in hisce articulis sancita sunt, Archiepiscopus Baltimorensis ex parte sua obligat se suosque successores, spondens, tam se quam illos semper agnituros, ratamque esse habituros liberam ac pacificam Iesuitarum possessionem in reliquis bonis, quae, exinde pontificio etiam accedente placito, iisdem libere administranda relinquuntur, ita ut nulla umquam in posterum vel ab Archiepiscopis, vel a clero saeculari possit iis inferri molestia, aut in pacifica huiusmodi possessione eos ullo modo vel sub quovis obtentu turbari, firmo tamen semper remanente interdicto de bonis non alienandis et salvis oneribus, quae iisdem bonis inhaerent.

§ 3. Omnibus mature perpensis et uti supra dispositis nomine praedictae Congregationis de Propaganda Fide petatum a nobis fuit, ut apostolicae potestatis nostrae munimine robaremus, idque praecipiamus, quod stabili constitutioni mensae archiepiscopalis Baltimorensis iuxta praemissa opportunum videtur. Nos huiusmodi congregationis votis annuere volentes ac singulares personas, quibus praesentes nostrae literae favent, specialibus gratiis et favoribus prosequi volentes et a quibusvis excommunicationis, suspensionis et interdicti, aliisque ecclesiasticis censuris, sententiis et poenis quovis modo et quacumque de causa latis, si quas forte incurrerint, huius tantum rei gratia absolventes et absolutos fore censentes, supplicationibus huiusmodi nobis humiliter porrectis inclinati, omnia superius relata et a Congregatione vnn. fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum circa stabilem constitutionem mensae archiepiscopalis Baltimorensis sancita, auctoritate apostolica tenore praesentium approbamus, eisque apostolicae firmitatis robur adieimus, ac omnes et singulos iuris et facti defectus, si quos in ea irrepsisse contigerit, sanamus, atque supplemus, mandantes propterea in virtute sanctae obedientiae praeposito generali Societatis Iesu, ut, statim ac praesentes nostrae literae ei fuerint exhibitae, omnia in illis expressa et a nobis approbata accurate exequi teneatur.

§ 4. Decernentes has praesentes literas semper firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri

et obtinere, ac omnibus, ad quos spectat et spectabit pro tempore, plenissime suffragari, et ab eisdem inviolabiliter observari; sicque in prae-missis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii nostri apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.

§ 5. Non obstantibus constitutionibus et ordinationibus apostolicis, caeterisque in contrarium quibuscumque.³

Datum Romae, apud S. Mariam Maiorem sub annulo Piscatoris, die XXIII. iulii MDCCCXXII. pontificatus nostri anno XXII.

Sources: De Martinis, IV, 615-617; *BCPF*, IV, 394-397.

Translated partly in Hughes, *History of the Society of Jesus in North America, Documents*, vol. II, 1067.

No. 35.

PROPAGANDA TO MARECHAL

JULY 27, 1822

The action of Propaganda which resulted in Gallagher and Browne's overriding the decision of Archbishop Neale,¹ had evil results for the Church in America. As Neale wrote to the Holy See, on March 2, 1817, rebellious spirits in the Church were saying that the Archbishop of Baltimore no longer had power over them and that they could obtain whatever they wanted from Propaganda. By the year 1820, the evil of trusteeism had assumed alarming proportions not merely in Charleston, S. C., but in Virginia, New York, Philadelphia, and New Orleans. In New York city, the battle raged around the two churches of St. Peter's and

³ This settlement of the controversy was hotly contested by the Jesuit Fathers, who declared that the Brief had been obtained surreptitiously. The General of the Society refused to sign the papers of transfer prepared for him but showed that he had ordered the Maryland Fathers to pay Maréchal one thousand dollars a year. Propaganda refused to have the matter settled in that manner and demanded the estate to be transferred within six months. The matter had been referred to the President of the United States and the Government expressed itself so warmly that the Holy See decided to accept the Jesuit General's offer to pay Maréchal eight hundred Roman crowns annually during the archbishop's natural life.

¹ Cf. *supra*, Document 32.

St. Patrick's where Bishop Connolly had difficulty in having trustees elected who were favourable to him.² In Virginia, the trustees were following the vestry system of the Episcopalian Church and the Church property was held by them in fee simple.³ The priest was hardly better than a hired hand who had to follow the dictates of the trustees in all temporalities. In 1816, the Norfolk group openly rebelled when the pastor, Father Lucas, was authorized by Archbishop Neale to abolish the Board of Trustees and to choose a number of persons among the congregation whom he thought best fitted to assist him in administering the temporal affairs of the church. The Norfolk faction eventually joined forces with the Charleston schismatics, and emboldened by Browne's success in Rome, sent a petition to the Holy See in 1817, declaiming against the archbishop and Father Lucas and asking that an episcopal See be erected in Virginia. In being refused a priest of their own nationality (Irish), they felt that their rights of patronage and dominion had been infringed upon. Propaganda, in its answer, distinguished between the canonical *ius patronatus* and that of the Norfolk trustees and promised them that if the necessary conditions were present they would be allowed canonical patronage.

The Church in Philadelphia during the same period became involved in the scandalous Hogan schism. Michael Egan, the first Bishop of Philadelphia had died in 1814 and for the next six years the See remained vacant until the arrival of Henry Conwell in 1820. During those six years, the evils growing out of the trustee system became firmly imbedded. As in Norfolk, so likewise in Philadelphia, the trustees claimed the right to choose their own pastors, and on January 18, 1818 and June 14, 1819, they sent a petition to Propaganda proposing their own candidate for the vacant See. The Sacred Congregation answered that although their candidate would not be appointed, still an Irish prelate would be given them. At the same time, Propaganda reprimanded the trustees for claiming the right to appoint their own pastors.⁴ Father William Hogan

² Guilday, "Trusteeism", in *Historical Records and Studies* (New York), XVII, 14-44.

³ Guilday, *Church in Virginia*, *passim*.

⁴ *Prop. Arch., Lettere*, vol. 301, f. 859. On Hogan, cf., Document 37, 1.

came to Philadelphia some time in March, 1820, and he soon became the leader of the rebellious faction. By the time of Bishop Conwell's arrival in Philadelphia on December 2, 1820, Hogan's reputation had suffered severely and shortly after his installation, the bishop withdrew his faculties. Hogan rallied his trustee followers around him and there began one of the most bitter and unsavory episodes in the history of the Church in America. With the appearance of an "Address of the Committee of St. Mary's Church of Philadelphia, to their Brethren of the Roman Church Faith throughout the United States", it became apparent that episcopal authority was insufficient to withstand the united forces of trusteeism.⁵ The voice of the Vicar of Christ was alone sufficient to still the tempest. And Rome spoke in 1822. The letter of instructions was based on Maréchal's *Report* of 1818⁶ and the suggestions which he made to Propaganda while in Rome in 1822. Maréchal advised the Sacred Congregation that the American bishops should be urged to refuse a priest to any church that would be built in the future unless the authority of the trustees would be limited. As for churches that were already built, the faithful should be persuaded to recall part of the unlimited authority vested in the trustees.⁷ The advice of Maréchal was followed and the following letter of instructions was issued by the Sacred Congregation. Maréchal was ordered to send a copy of the instructions to all the bishops of the United States.

Summary: Although Propaganda rejoiced greatly at the Church's increase in the United States, its joy is equaled by its sorrow at the strife and scandals which in certain provinces threaten to undermine the Church. These evil conditions are due mainly to the unbounded authority of the trustees, to curb which we issue the following instructions.

Nothing can be done regarding those churches etc. which are

⁵ Cf. Tourscher, F. E., *The Hogan Schism* (Philadelphia, 1930); Guilday, "Trusteeism", *loco cit*; Griffin, "Life of Bishop Conwell", in *Records*, XXIV-XXVIII; the documents on the Hogan Schism are given in the *Works of Right Rev. John England* (Baltimore, 1849), V, 109-213.

⁶ Maréchal's *Report* is printed in *CHR*, I, 439-453.

⁷ Hughes, *History of the Society of Jesus, Documents*, I, 462.

erected and which have been subject from the beginning to the trustees, except that the bishop admonish the congregation and show them what evils arise from such an arrangement. These congregations should be admonished: 1. To choose honest and upright trustees. 2. To limit the rights of the trustees, especially so that they cannot refuse a pastor approved by the bishop or deny him support. 3. That the trustees cannot admit a pastor without faculties. 4. That the pastors are independent of the trustees in the exercise of their ministry. 5. That the trustees should act in concord with the bishop. If other rules are needed, they are to be proposed to the congregations by the bishops.

Concerning churches to be built in the future, if the faithful commit the care of these churches entirely to the bishop, he should see that the legal document be so worded that the *bona* are given to the bishop only in trust and for the use of the church which is to be built. The bishop should make two copies of his will, one to be kept by himself and the other to be given to a trustworthy man.

If the faithful refuse to commit the church to the care of the bishop, he should see that the authority given to them by the civil contract does not infringe the rights of the Church. The five rules mentioned above should be imposed upon them. If they are determined to give unlimited powers to the trustees, the bishop shall not bless the church nor appoint a pastor for it.

Illmo. ac Rmo. Dno. Ambrosio Marechal Archiepiscopo Baltimorensi.

XXVII. iulii MDCCCXXII.

Quanta iam fuit Sacrae Congregationis laetitia ex incremento, quod catholica fides in foederatis istis Americae provinciis, divina opitulante gratia, in dies capiebat; tanta nunc animi acerbitate percepit dissidia, contentiones et scandala, quae aliquas earumdem provinciarum ecclesias misere exagitant, quaeque non fidei propagationem, atque decorem, sed illius contemptum ac subversionem minitantur. Re mature perpensa, compertum est, praecipuam malorum causam ex eo potissimum manare, quod ecclesiarum aeditui (vulgo Trustees) immodicum atque incircumscriptum ius sibi arrogant non modo super bonis ecclesiae, verum etiam super delectu pastorum, omniumque ecclesiasticarum rerum dominatu. Ad cohibendam hanc tantam ac effraenatam auctoritatem, ex qua innumera damna procedunt, prorsus necessarium eminentissimis patribus visum est, limitandum omnino esse aedituorum ius, certasque regulas praescribendas, intra quas aeditui continere se debeant. Sed quoniam ea ratio, quae pro ecclesiis imposterum aedificandis adhibenda esse cen-

setur, applicari non potest ecclesiis iam extractis, Sacra Congregatio regulas, quae sequuntur, in utroque casu ac Episcopis servandas esse decrevit.

Quod attinet ad ecclesias, domos presbyterales, coemeteria, et si quae sunt alia ecclesiis adnexa, quae iam aedificata sunt, et quibus administrandis congregatio fidelium laicis aedituis ab initio tam indefinitam contulit potestatem, ut ab huiusmodi administratione Episcopus ipse ac Missionarii arceantur, Sacra Congregatio, perspectis eorumdem locorum legibus et circumstantiis, bene sentit, nimis periculosum fore, aedituos a possessione, in quae sunt civili quodam veluti contractu, depellere. Quare ita se rebus habentibus, alia nulla videtur posse adhiberi via, quam monita et obsecrationes. Rogamus itaque amplitudinem tuam, caeterosque Episcopos suffraganeos tuos, ut cum convocanda fuerit catholicorum Congregatio, a qua quotannis aeditui eliguntur, illius oculis Episcopi subiiciant gravissima damna, perturbationes et scandala, quae plures ecclesias adeo divexant, quaeque non aliunde proveniunt, nisi ex incircumscripcta aedituorum auctoritate, easdem Congregationes sedulo, ac per viscera Domini Nostri Iesu Christi, suavis adhibitis persuasionibus, hortentur et obsecrent, ut ad restituendam tranquillitatem, ordinem atque concordiam, illimitatam hanc aedituorum auctoritatem coercere velint, certisque terminis ac regulis circumscribere velint, quae, sicut accepimus, ab ipsa civili potestate confirmari facile possunt. Monendae sunt igitur eadem Congregationes,

I. Ut in aedituorum delectu eos tantum eligere velint, qui plura verae pietatis, prudentiae, integritatis argumenta praeberunt, eosque praesertim, qui sponte subsidia ad cultus divini splendorem pastorumque sustentationem conferre solent.

II. Ut in electione limites apponantur, intra quos aeditui contineri se debeant, ac primum ut ii nequeant ullo modo pastores ab Episcopo approbatos suo arbitratu dimittere, vel excludere ab ecclesia, eisque subsidia, quae ad vitae sustentationem necessaria sunt, denegare.

III. Ut iidem nullo pacto possint sacerdotes facultatibus destitutos vel ab Episcopo reiectos, multo autem minus illos, qui ecclesiasticis censuris irretiti sunt, in ecclesiam aut in presbyterales domos introducere.

IV. Ut pastores in sacri sui ministerii exercitio ab aedituorum auctoritate independentes omnino sint.

V. Demum ut aeditui in omnibus, quae sacra respiciunt, cum Episcopo convenire omnino debeant, concorditerque cum illo se gerere. Hae quidem, et si quae sunt aliae ad Ecclesiae bonum et pacem tendentes, regulae proponendae sunt ab Episcopis catholicorum congregationibus, quae ius habent imponendi leges aedituis ad cohibendam immodicam auctoritatem, quae nimis incaute ab initio iisdem collata fuit, quaeque omnium malorum semen et causa est.

Veniens nunc ad ecclesias, quas imposterum aedificari contigerit, merito Sacra Congregatio confidit, ut fideles exemplo ducti malorum, quae ab indefinita aedituorum potestate acciderunt, malint potius in

novis extruendis ecclesiis eas, ac bona illis adnexa Episcopis eorumque successoribus plane committere. Quoties ita se gerant, curare debent Antistites ut in ipso civili contractu fideles aperte declarent, sese ea sacra bona fiducialiter tantum, ac pro usu extractae ecclesiae committere Episcopo loci nominando; quae quidem clausula atque conditio, ut relatum nobis est, inclytae Americanae provinciae legibus minime adversantur. Ad vitandum autem omne periculum fraudemque, opus erit, ut Episcopus testamenti sui duo conficiat exempla, quorum alterum penes ipsum praesulem retinendum erit, alterum viro religione atque honestate sua spectatissimo tradendum, ut, si forte contigerit, exemplum ab Episcopo retentum deperdi vel occultari, nequeant illius haeredes ecclesiae bona sibi vindicare, cum ex altero exemplo constet, Episcopum eorumdem bonorum fiduciarium tantum modo possessorem, merumque illorum administratorem extitisse.

Quod si malint fideles sacra eiusmodi bona laicis administranda committere, tunc praesul omni studio cavere debet, ut commissa laicis auctoritas in civili contractu ita limitetur, ut neque ipsi, neque illorum successores ea possint abuti in detrimentum Ecclesiae. Apponendae limitationes erunt eae ipsae, quarum supra meminimus, atque ut contractus legesque impositae laicis maiori vi polleant, curandum erit, ut documentum a catholicorum Congregatione subscribatur. Posset etiam fortasse accidere, ut fideles variis aliquando seducti rationibus, incircumscriptam suis aedituis facultatem conferre mallent. Tunc Episcopus omnem dabit operam, ut fideles isti ab exitiali huiusmodi consilio avocentur. Quod si illi in sua pervicacia permanserint, licebit praesuli novae ecclesiae benedictionem denegare, nullumque iis tamquam ecclesiasticarum legum contemptoribus pastorem praeficere. Hae regulae sunt, quas Sacra Congregatio servandas esse putavit ad propulsanda, quantum fieri potest, innumera Ecclesiae damna, quae aedituorum causa exoriuntur, quaeque facile nunquam cessabunt, nisi effraenis ista illorum auctoritas cohibeatur. Tuum erit, amplissime Domine, iisdem regulis et instructionibus pro tua sapientia prudentiaque, uti iuxta temporum opportunitatem, simulque curare, ut harum litterarum exemplum ad cunctos foederatarum provinciarum Episcopos perferatur, ut in gravissimo huiusmodi negotio sit iis pro norma. Ac fore confidens, ut Deus pacis ac misericordiae benigne velit, divina sua accedere gratia, his providentiis efficaciam tribuere atque incrementum, eundem enixe precor ut amplitudinem tuam diutissime servet ac sospitet.

Sources: De Martinis, IV, 621-622, note; Tourscher, *op. cit.*, 212-215.

No. 36.

PIUS VII TO ROSATI

AUGUST 13, 1822

The Archdiocese of Baltimore, as established in 1808, included the States of Maryland, Virginia, the District of Columbia, the two Carolinas, Alabama and Mississippi. Louisiana and Florida had been taken care of by the appointment in 1812 of William Du Bourg as Administrator-Apostolic.¹ The latter became Bishop of Louisiana in 1815.² The two territories of Mississippi and Alabama were so far distant from Baltimore that it was practically impossible for the archbishop to care for them. Accordingly, Bishop Du Bourg was appointed Vicar-General of Mississippi and Alabama by the Archbishop of Baltimore. This arrangement was also deemed unsatisfactory especially since Du Bourg, on his return from Europe in 1818, had fixed his residence in St. Louis, which was nearly as far from Mississippi as Baltimore itself. In Archbishop Maréchal's account to Propaganda, October 16, 1818, he requested the Holy See to found a vicariate-apostolic that would include the southern portion of his diocese, that is, the States of North and South Carolina, Georgia and the Territory of Mississippi.³ Propaganda answered this request in 1820, by erecting the Dioceses of Richmond, embracing the territory of Virginia, and Charleston which included North and South Carolina and Georgia.⁴ This action resulted in splitting the Diocese of Baltimore into two sections a thousand miles apart. Maryland and the District of Columbia to the North and Mississippi and Northern Alabama to the South, with the two new dioceses sandwiched in between.

¹ Cf. Document 26, note 3 and Document 39.

² The Two Floridas still belonged juridically to the Diocese of Louisiana (New Orleans).

³ *CHR*, II, 450. The entire document is given in the original Latin *ibid.*, 439-453.

⁴ The two dioceses were founded on July 11, 1820. Neither of the two papal documents founding the Sees can be found. Shea quotes from the Bull erecting the Diocese of Richmond (III, 76), but the document apparently is not in the *Shea Transcripts* at Georgetown University, Washington, D. C.

The Congregation soon realized how completely they had muddled matters and two years later Richmond⁵ was suppressed and the Vicariate-Apostolic of Mississippi and Alabama constituted.

Summary: Mississippi and Alabama, were too far distant from Baltimore to be properly cared for by the archbishop who was forced to place them under the jurisdiction of the bishop of New Orleans as his vicar. The latter has removed his residence to St. Louis in Upper Louisiana, which is about 500 leagues from the said States, and the Archbishop of Baltimore has relinquished jurisdiction over them. Pius VII appoints Joseph Rosati Vicar-Apostolic of the two States.

*Dilecto filio Iosepho Rosati⁶ presbytero Congregationis Missionis,
PIUS PP. VII.*

Dilecte fili, salutem et apostolicam benedictionem.

§ 1. Cum nos hodie te ecclesiae Tenagrensi, quae in partibus infidelium consistit, in Episcopum et pastorem auctoritate apostolicâ prae-fecerimus cum diversis gratiis et indultis, prout in nostris desuper in simili formâ brevis expeditis literis, quarum tenorem praesentibus haberi volumus pro expresso, uberius continetur; cumque territoria duo Mississippi et Alabamae in foederatis Americae provinciis, quorum spirituale regimen pertinebat ad Baltimoreensem archiepiscopatum, a metropolitana sede tam dissita sint, ut, cum Archiepiscopus eorum curam gerere non posset, eam Neo-Aurelianensi Episcopo tamquam Vicario suo generali committere cogeretur: cum Episcopus Novae Aureliae ob translatam suam residentiam in civitatem S. Ludovici in

⁵ The history of the founding of the See of Richmond is given in Guilday, *Catholic Church in Virginia: 1815-1822* (New York, 1924). The history of the Charleston Diocese is given by the same author in his two volumes on the *Life and Times of John England* (New York, 1927).

⁶ Joseph Rosati, C. M. was born at Sora, Italy, on January 12, 1789. He joined the Congregation of the Missions and was ordained to the priesthood in 1811 or 1812. He came to the United States in 1817 where he became rector of the seminary at Bardstown. The following year he was transferred to the "Barrens", Perry County, Missouri as rector of the seminary there. He was appointed coadjutor to Bishop Du Bourg on July 14, 1823 and was consecrated titular Bishop of Tenagre on March 25, 1824. On March 20, 1827 he became the first Bishop of St. Louis. Cf. Shea III, 395 ff.; Souvay's two articles on Rosati in *CHR*, III, 3-21, 165-186.

Luisianâ superiori,⁷ quae leucas circiter quingentas ab eisdem territoriis distat, eorum curam amplius exercere non possit; aliunde vero Baltimorensis Archiepiscopus a spirituali eorumdem territoriorum regimine se sponte dimiserit; nos, ne fideles, qui ibi versantur, spiritualibus careant auxiliis, Vicarium Apostolicum territoriorum Mississippi et Alabamae cum characterē et titulo episcopali, et cum facultatibus, quibus ceteri foederatarum Americae provinciarum Episcopi potiuntur, eligere decrevimus.

§ 2. Itaque de tuâ pietate, prudentiâ ac studio ac chistianae catholicaeque fidei zelo plurimum in Domino confisi, teque a quibusvis excommunicationis, suspensionis et interdicti, aliisque ecclesiasticis sententiis, censuris et poenis, si quibus quomodolibet innodatus existis, ad effectum praesentium dumtaxat consequendum, harum serie absolventes et absolutum fore censentes, de venn. fratrum nostrorum S. R. E. Cardinalium negociis Propagandae Fidei praepositorum consilio, te Vicarium Apostolicum territoriorum Mississippi et Alabamae cum facultatibus alias ab hac S. Sede concessis Episcopis foederatarum Americae provinciarum ad nostrum et Sedis praefatae beneplacitum constituimus et deputamus, salvâ tamen semper in praemissis auctoritate Congregationis eorumdem Cardinalium.

§ 3. Mandantes propterea omnibus et singulis, ad quos spectat ac spectabit pro tempore, ut te ad demandatum tibi per praesentes Vicarii Apostolici officium illiusque liberum exercitium, iuxta tenorem praesentium, recipiant et admittant, tibi in omnibus ad idem officium pertinentibus faveant, pareant et assistant, tuaque salubria monita et mandata humiliter suscipiant, et efficaciter adimplere procurent, alioquin sententiam sive poenam, quam rite tuleris in rebelles, ratam habebimus et faciemus auctore Domino usque ad satisfactionem condignam inviolabiliter observari.

§ 4. Non obstantibus constitutionibus et ordinationibus apostolicis, nec non dictae archiepiscopalis ecclesiae Baltimorensis, etiam iuramento, confirmatione apostolicâ, vel quavis firmitate aliâ roboratis statutis et consuetudinibus, privilegiis quoque, indultis et literis apostolicis in contrarium praemissorum quomodolibet concessis, confirmatis et innovatis; quibus omnibus et singulis illorum tenores praesentibus pro plene et sufficienter expressis ac de verbo ad verbum insertis habentes, illis alias in suo robore permansuris, ad praemissorum effectum hac vice dumtaxat specialiter et expresse derogamus, caeterisque contrariis quibuscumque.⁸

⁷ Du Bourg left St. Louis on November 19, 1820 to visit Lower Louisiana and remained there. The Prefect of Propaganda evidently was not acquainted with his change of residence. Souvay, *loc. cit.*, 12.

⁸ The brief reached Rosati on January 23, 1823. Letter of Rosati to Father Baccari in Rome, *CHR*, III, 14.

Datum Romae, apud S. Mariam Maiorem sub annulo Piscatoris, die XIII. augusti MDCCCXXII., pontificatus nostri anno XXIII.

Sources: De Martinis, IV, 618; *BCPF*, IV, 399-400; Hernaez, II, 783.

No. 37.

PIUS VII TO THE CHURCH IN AMERICA

AUGUST 24, 1822

The foregoing letter was accompanied by the following papal Brief in which Pius VII condemned Hogan, severely reprimanded the trustees, and held up the sorrowful example of Philadelphia as a warning to all the faithful in the United States.

Summary: Apostolic Letter of Pius VII to Maréchal and his suffragans.

1. We have heard with sorrow that the Church in Philadelphia has been torn with strife and schism, caused primarily by the insane arrogance of the priest Hogan, and the trustees' abuse of power. It has come to our ears that this most abandoned Hogan has set himself up as judge of his prelate, has slandered him by writings, called a Council to depose the bishop, and in his letter dared to impart the Apostolic Benediction. Nothing has been able to deter him for despite excommunication he has continued to perform the offices of a priest.

2. What has greatly filled Us and the whole Church with indignation is the fact that, in his contempt of all law, he has found followers. This is a sign of defection from the unity of the Church. Are they ignorant that Christ has appointed the bishops to rule the Church; the flock should not rule the shepherds. We hope that those who have followed Hogan, seeing their error, will repent and avoid him.

3. Again, the right which the trustees have wrested to themselves has also been the occasion of strife not only in Philadelphia but also in other parts of the United States. Unless these rights be tempered, they will continually be the cause of dissensions. Let the trustees remember that whatever is given towards divine wor-

ship or the support of the clergy passes into the power of the Church.

4. It has been unheard of in the Church that laymen should set up pastors without faculties, often even under censure, as was the above-named Hogan, should remove them at will and support only those whom they choose. This is an intolerable transgression not only of ecclesiastical but also of divine laws. Whosoever desires to remain in the Church must obey her laws.

5. We have, therefore, sent you the following instructions. If they are observed, we are confident that peace will again flourish in those regions. We exhort the pastors that they strive diligently to establish discipline. We also admonish the trustees and all the faithful to be obedient to their pastors.

Venerabilibus fratribus Ambrosio Marechal Archiepiscopo Baltimorensi, eiusque suffraganeis Episcopis, ac dilectis filiis temporalibus ecclesiarum administratoribus, ac fidelibus universis foederatarum Americae provinciarum,

PIUS PP. VII.

Venerabiles fratres ac dilecti filii, salutem et apostolicam benedictionem.

§ 1. Non sine magno animi nostri moerore intelleximus, Philadelphensem Ecclesiam assiduis iamdiu dissidiis et contentionibus ita agitari, ut schismata orta sint, pravae diffusae doctrinae, ac tota ipsa ecclesia in summâ rerum omnium perturbatione versetur; idque duabus praesertim ex causis, nempe ex insanâ presbyteri Guilelmi Hogan¹ arrogantia nefariisque ausis, tum etiam ex potestatis abusu quorundam, qui temporalia ecclesiae bona administrant. Pervenit enim ad aures nostras perditissimum istum presbyterum Hogan, spretis atque subversis Ecclesiae legibus, in iudicem se erexisse Praesulis sui,² nec dubi-

¹ William Hogan was a native of Limerick, Ireland. After his ordination he came to the United States where he was received by Bishop Connolly of New York. He came to Philadelphia in 1820 although he had received no *exeat* from Connolly. Bishop Conwell excommunicated Hogan on May 27, 1821 but he remained at St. Mary's in defiance of the bishop until November, 1823. He wrote the following publications: *Popery As It Was and Is; Nunneries and Auricular Confession; High and Low Mass*. The unfortunate priest died at Nashua, New Hampshire, January 23, 1848. Cf. Tourscher, *op. cit.*

² Henry Conwell, second Bishop of Philadelphia was born at Moneymore, County Derry, Ireland, in 1748, was ordained probably in 1776, and conse-

tasse illius famam pluribus famosisque libellis dilacerare, fideles a legitimo suo Pastore avertere, Episcoporum concilium ad deponendum eundem Antistitem advocare per literas, in quibus ipse tamquam supereminens apostolicam iis benedictionem audet impertiri, denique in possessionem cathedralis ecclesiae, expulso Episcopo, sese intrudere. Non illum bonorum querelae, non destitutio facultatum, non excommunicationis poena eidem iuste ab Episcopo illata ab incepto cursu detertere potuerunt, sed spretis omnibus, sacramenta ministrare, parochialia omnia munia exercere, et sacrosancta mysteria sacrilego ac nefario scelere quotidie celebrare non erubescit, reus palam effectus Corporis et Sanguinis Domini. Execrabilia sane sunt haec.

§ 2. Quod vero et nos et universam Ecclesiam summâ non modo admiratione sed etiam indignatione afficit, illud profecto est, quod presbyter iste in tam manifesto legum omnium contemptu invenire potuerit non paucos sectatores, superbiae et contumaciae suae vindices ac fautores, qui ei potius (posthabitâ ac spretâ Episcopi auctoritate) quam legitimo suo Pastori adhaerere maluerint, cui etiam subsidia ad vitae sustentationem denegare non dubitarunt. Gravissima quidem haec est iniuria non modo Episcopo, sed etiam nobis et Apostolicae huic Sedi illata, ac signum defectionis ab Ecclesiae catholicae unitate, dum datum iis a S. Sede Pastorem ignominiose reiiciunt, et improbum hominem, qui ab ipsius Ecclesiae communione rescissus est, impie sequuntur, minime intelligentes, non eos tantum reos esse qui mala operantur, sed etiam eos qui eisdem assensum suum praebent, quique vel per se vel per alios auxilium, consilium vel favorem iisdem praestare minime reformidant. Ignorant ne ii, quod Spiritus Sanctus posuit Episcopos regere Ecclesiam Dei, ex quo consequitur, Episcopos esse gregis Christi pastores? Satis autem perspectum est, quod non grex pastorem ducit, sed pastor gregem. Ignorant ne, hierarchicum ordinem ita in Ecclesiâ esse institutum, ut presbyteri Episcopis, Episcopi supremo Christi Vicario subesse debeant, ita ut presbyter ab Episcopo, non Episcopus a presbytero sit iudicandus? quod si fieri, totius Ecclesiae inverteretur ordo ac disciplina. Ignorant ne, non laicorum esse in ecclesiasticis iudiciis sese immiscere, quae Episcopis reservata sunt; proptereaque illos nullam in causâ presbyteri Hogan habere partem, sed tantum Episcopo obtemperare debuisse? ignorant ne denique acta omnia, quae ille sacrilege ac temere exercet, nulla prorsus atque irrita esse? Hisce autem perspectis omnibus probe, divinâ opitulante gratiâ, futurum speramus, ut, qui insecutiâ vel errore eidem adhaeserant, et malis illius

crated Bishop of Philadelphia on September 24, 1820. He fought a losing battle with the trustees in Philadelphia and in 1828, had to relinquish his See. Francis Kenrick was appointed Coadjutor and Conwell retained the title of Bishop of Philadelphia. He died in Philadelphia, April 22, 1842. Cf. Tourseher, *op. cit.*, xi, xii; Griffin, "Life of Bishop Conwell", in *Records*, XXIV-XXVIII.

artibus seducti sunt, agnitâ nunc veritate ad rectam semitam redire festinent, et ab impio homine in posterum diligenter cavere, ne, illum sectantes, participes fiant delictorum eius, ac non effugiant iustum iudicium Dei.

§ 3. Alterum est quod assiduam praebet dissidiis et contentionibus causam, non solum Philadelphiae, sed etiam in pluribus aliis foederatis Americae provinciis, immodicum scilicet atque effraenatum ius, quod aeditui sive temporalium Ecclesiae bonorum administratores sibi vindicare praesumunt independentem omnino ab Episcopis. Id quidem nisi moderatione aliquâ limitetur, perpetua esse poterit abusus et discordiarum origo. Itaque memorare debent aeditui, bona quae ad divinum cultum nec non ad Ecclesiae eiusque ministrorum sustentationem oblata sunt, in Ecclesiae potestatem transire: sicut autem Episcopi ex ordinatione divinâ sunt qui praesunt Ecclesiae, ita ipsi non possunt ab eorumdem bonorum curâ, dispositione ac vigilantia excludi. Quare sacra Tridentina Synodus expresse mandavit administratores fabricae cuiusvis ecclesiae etiam cathedralis, et quorumcumque piorum locorum singulis annis ad reddendam Ordinario rationem administrationis teneri, addens (sess. 22, cap. 9, de ref.) quod, etiamsi ex praecipuâ aliquâ loci constitutione administrationis ratio reddenda sit aliis ad id deputatis, tamen cum iis adhibendus etiam sit Ordinarius. Quare si aeditui concordi animo cum Episcopo temporalia Ecclesiae administraverint, omnia pacifice et secundum ordinem fient.

§ 4. Novum autem ac plane inauditum est in Ecclesiâ illud quod aliquando istie accidisse accepimus, nempe aedituos et laicos sibi ius arrogasse constituendi pastores legitimis facultatibus destitutos, saepe etiam censuris obnoxios, ut nuper cum Hogan factum fuisse patet, illos etiam pro arbitrio amovendi, atque subsidia praestandi cui ipsi mauerint. Si ita acta sunt, uti fuit nobis nunciatum, quo pacto tolerari posset tam magna legum non ecclesiasticarum modo, sed divinarum etiam subversio? Ita enim non Episcopi praeesent Ecclesiae, sed laici; pastor subditus gregi suo effectus esset, et laici homines potestatem illam, quae Episcopis divinitus data est, sibi usurpare conarentur. At qui volunt in sinu s. matris Ecclesiae manere et sempiternae suae salutis consulere, universalis Ecclesiae leges religiose servare tenentur, et, sicuti civili potestati in iis quae temporalia sunt obtemperandum est, ita etiam in iis quae spiritualia sunt Ecclesiae leges a fidelibus servari debent; neque spiritualia cum temporalibus sunt confundenda.

§ 5. Quare ad vitanda dissidia ac perturbationes, quae ex incircumscriptâ aedituorum auctoritate saepe exoriuntur, regulas et instructiones quasdam vobis, ven. Fratres, pro aedituorum delectu ac moderamine transmittendas curavimus, quibus non dubitamus aedituos se plane conformaturos, quibusque servatis merito fore confidimus, ut omnia rite componantur, et pristina pax et tranquillitas in istis regionibus reflorescat. Hortamur itaque et obsecramus in Domino primum satis perspectam pastorum sollicitudinem, ut ipsi omni studio dent operam

evellendis abusibus et stabiliendae ecclesiasticae disciplinae, opportune importune instantes, arguendo, obsecrando, increpando in omni patientiâ et doctrinâ; deinde monemus etiam et adhortamur per viscera Salvatoris nostri Iesu Christi ecclesiarum aedituos ceterosque fideles, ut traditos sibi a S. Sede pastores eo quo decet obsequio, honore et obedientiâ prosequantur, illos tamquam patres atque animarum suarum directores agnoscere, illorum monitis facile praebere aures, iis necessaria vitae subsidia suppeditare, non alios sanctuarii ministros excipere, nisi qui ab iisdem probati sint, quidquid denique illi ad rectum ordinem ac disciplinam instaurandam, quidquid ad restituendam pacem conferre posse iudicaverint, aequo promptoque animo amplecti velint, ut non sint schismata et omnes idem sapiant, eandem caritatem habentes, unanimes idipsum sentientes, nihil per contentionem neque per inanem gloriam, sed in humilitate superiores sibi invicem arbitantes (Philipp. 2, 2). Et quoniam sub florentissimo isto faustoque regimine catholicis datum est, sanctae suae religionis cultum libere posse exercere, luceat vestra fides ac pietas coram omnibus, ita ut non modo fidelibus, sed etiam iis, qui foris sunt, aedificationi et exemplo esse possitis, Deo ac patriae fideliter servientes. Quod dum divinae gratiae auxilio sedulo libenterque vos praestituros esse confidimus, apostolicam vobis omnibus benedictionem peramanter in Domino impertimur.

Datum Romae, apud S. Mariam Maiorem sub annulo piscatoris die XXIV. augusti MDCCCXXII., pontificatus nostri anno XXIII.

Sources: De Martinis, IV, 619-622; *BCPF*, IV, 401-404; Tourscher, *op. cit.*, 207-211.

Translated in *Records*, XXV, 325-330; *Works of John England* (Baltimore, 1849), V, 178-179.

No. 38.

BRIEF OF PIUS VII

JANUARY 21, 1823

The founding of the See of Santiago de Cuba in 1522 as a suffragan to San Domingo gave to the diocese spiritual jurisdiction over practically the whole of the present United States since Florida at the time meant an indefinite stretch of land from the Gulf to Newfoundland, or the Eastern half of the United States. The founding of new colonies on the eastern coast and along the Mississippi gradually narrowed the geographical boundaries of Florida until at the end of the eighteenth century it included the territory comprising the present State and a narrow strip to the

North and West. The Church was early founded in Florida and flourishing missions were established by the Dominicans, Jesuits and Franciscans. The Bishops of Santiago visited the Florida missions and Bishop Tejada even remained in Florida for ten years (1735-1745). The English occupation of Florida¹ from 1763 (Treaty of Paris) until 1783 resulted in such wholesale destruction and confiscation of Church property that Catholic life nearly disappeared. When the Two Floridas were ceded to Spain by the Treaty of Paris (1783), they became part of the newly founded See of Havana (1787) and together with Louisiana were governed by the auxiliary Bishop, Cyril of Barcelona, O.M.Cap., until the founding of the See of Louisiana-the-Floridas on April 23, 1793. The Louisiana purchase in 1803 did not affect the Floridas, and they were considered subject to Spanish jurisdiction (Havana) until they were ceded by treaty to the United States on February 22, 1819. From that time, Florida was considered a part of the Diocese of Louisiana,² and on July 10, 1822 after the actual transfer to the United States the Bishop of Havana withdrew his jurisdiction. At a General Congregation on American Affairs held by Propaganda, on July 1, 1822, the following two questions were debated: 1) Whether the Bishop of Havana should be advised not to interfere in the future in the spiritual regimen of Florida since his jurisdiction there had ceased; and 2) Whether a diocese should be erected embracing Florida, Alabama and Mississippi, with the episcopal See at Pensacola. The Congregation decided on December 3, 1822 that the Bishop of Havana's jurisdiction had ceased in Florida and that the Two Floridas should be added temporarily to the newly-erected Vicariate-Apostolic of Alabama-Mississippi.³

Summary: East and West Florida, at first under the jurisdic-

¹ Florida was divided by royal proclamation in 1763 into East and West Florida. East Florida comprised all the territory east of the Appalachian River. West Florida included the strip of land between that river and the Mississippi.

² Ecclesiastical jurisdiction followed the limits of territorial possession according to the decree of Propaganda, January 29, 1791, given above, Document 25, note 1.

³ *Prop. Archives, Atti* (1822), f. 540, 683. Cf. "The Church in Florida" in Guilday, *Life and Times of John England*, chapter XVIII.

tion of the Archbishop of Santiago de Cuba, was later, by a consistorial decree of September 10, 1787, placed under the Bishop of St. Christopher in Havana; on April 25, 1793, the two provinces were entrusted to the Bishop of New Orelans. St. Louis is too far distant from these parts to care properly for them. Therefore, Pius VII dismembers them from the Diocese of New Orleans and unites them to the recently erected Vicariate-Apostolic of Mississippi and Alabama. The Bishop of St. Christopher is commanded, by virtue of holy obedience, to cease all exercise of jurisdiction in Florida.

PIUS PP. VII.

ad futuram rei memoriam.

§ 1. Inter multiplices gravissimasque apostalatus nostri curas non exiguam tenent partem ea, quae dioecesium per universum orbem distributarum respicit statum; siquidem supremæ potestatis iudiciiique nostri est novos earum limites constituere vel constitutos immutare, prout, habita temporum, locorum et circumstantiarum ratione, fidelium utilitati conducere dignoscimus.

§ 2. Quum, sicut nobis relatum est, duae Floridarum provinciae, Orientalis nimirum, et Occidentalis in America septentrionali, quae primum Archiepiscopo Sancti Iacobi de Cuba, deinde per consistoriale decretum diei x. septembris MDCCCLXXXVII. Episcopo Sancti Christophori de Havana in spiritualibus subiectae fuerunt, demum per literas apostolicas datas die xxv. aprilis MDCCXCIII. Neo-Aurelianensi Ecclesiae sub metropolitico iure Archiepiscopi Sancti Dominici, tam longe distent a civitate Sancti Ludovici in Loysiana superiori, ubi Novae Aureliae Episcopus sedem statuit suam, ut ipse Floridarum curam gerere nullo modo possit, eamque propterea sponte dimiserit:

§ 3. Nos, ne fideles, qui in Floridis versantur, spiritualibus careant auxiliis, de venn. fratrum nostrorum Sanctae Romanae Ecclesiae Cardinalium Propagandae Fidei praepositorum consilio, ambas Floridarum provincias a Novae Aureliae dioecesi distrahere, easque per modum provisionis unire et adiungere apostolico vicariatus nuper erecto duorum confinium territoriorum Missisipi et Alabama volentes, spiritualem Floridarum curam et iurisdictionem venerabili fratri Iosepho Rosati tamquam vicario apostolico non minus duorum territoriorum Missisipi et Alabama novissime electo cum characterē et titulo episcopali, quam utriusque Floridarum provinciae cum facultatibus, quibus caeteris foederatarum provinciarum Episcopi potiuntur, auctoritate apostolica, tenore praesentium committimus, donec tamen per hanc Sanctam Sedem aliter provideatur. Mandantes propterea venerabili fratri Episcopo Sancti Christophori de Havana in virtute sanctae obedientiae, ne deinceps in Floridarum cura se amplius immisceat.

§ 4. Non obstantibus constitutionibus et ordinationibus apostolicis, nec non dioecesis Novae Aureliae etiam iuramento, confirmatione apostolica, vel quavis firmitate alia roboratis statutis et consuetudinibus; privilegiis quoque indultis et literis apostolicis superioribus et personis sub quibuscumque tenoribus et formis, ac cum quibusvis etiam derogatoriis derogatoriis, aliisque efficacioribus, efficacissimis ac insolitis clausulis, irritantibusque et aliis decretis in genere vel in specie, ac aliis in contrarium quomodolibet concessis, approbatis et innovatis. Quibus omnibus et singulis illorum tenores praesentibus pro plene et sufficienter expressis, ac de verbo ad verbum insertis habentes, illis alias in suo robore permansuris, ad praemissorum effectum, hac vice dumtaxat, specialiter et expresse derogamus, caeterisque contrariis quibuscumque.

Datum Romae, apud S. Mariam Maiorem, sub annulo Piscatoris, die XXI. ian. MDCCCXXIII., pontificatus nostri anno XXIII.

Sources: De Martinis, IV, 626; *BCPF*, IV, 406 f; Hernaez, II, 783.

Partly translated in *CHR*, III, 16.

No. 39.

PIUS VII TO ROSATI

JULY 14, 1823

To Bishop Du Bourg the very idea of erecting Alabama and Mississippi into a Vicariate-Apostolic was a monstrosity. In December 1822, he wrote to Rosati, the Vicar-Apostolic elect: "Truth to tell, I do not understand the decisions of Propaganda. To them it seems only necessary to appoint bishops and to send them, without inquiring whether there are any parishes to receive and support them. . . . What would you do as a bishop in Mississippi and Alabama. . . ." ¹ Nevertheless, Du Bourg while protesting against the vicariate-apostolic advised Propaganda to erect an episcopal See in Florida ² and the Congregation instead, added Florida to the Vicariate-Apostolic of Alabama-Mississippi. When Rosati received the briefs from Propaganda, he refused the office of vicar-apostolic and returned the briefs. ³ At the same time,

¹ *St. Louis CHR*, II, 222.

² Letter of Du Bourg to Propaganda, *loco cit.*, 221. Cf. Document 26.

³ Rosati sent the briefs through Father Philip Borgna, C. M., who arrived in Rome in November, 1823. Rosati had written to the Holy See refusing the office of vicar-apostolic on January 25, April 3, 11, and May 6, 1823.

Maréchal and Flaget were unanimous in protesting to the Holy See against the Vicariate-Apostolic. These reports placed Propaganda in an embarrassing situation, but they realized that the only sane solution to the problem was to place matters again in *statu quo*. In the meeting of Propaganda on American Affairs held on June 9, 1823, the following points were considered: 1) Should the Vicariate-Apostolic of Alabama-Mississippi-the-Floridas be suppressed; 2) Should Rosati be appointed coadjutor to Du Bourg and 3) Should the division of the Diocese of Louisiana be postponed for five years. The decisions reached are contained in the following brief:

Summary: Due to the inability of the Archbishop of Baltimore and the Bishop of New Orleans to care properly for the Territories of Mississippi and Alabama, Pius VII appointed Rosati Vicar-Apostolic of those parts, on August 13, 1822; the Bishop of New Orleans was likewise unable to take care of the Floridas, and the Holy See dismembered them from the Diocese of New Orleans and united them to the aforesaid vicariate-apostolic. But now the pope has been appraised through a report based on a letter of Du Bourg that the establishment of the vicariate and the addition thereto of the Two Floridas was purposeless and inopportune owing to the small number of Catholics in the districts mentioned and their inability to support a bishop; finally, the cause of religion would suffer by the departure from Louisiana of Rosati. The pope deems it advisable to reverse his decision and, therefore, suppresses the Vicariate-Apostolic of Mississippi and Alabama and the Two Floridas. Rosati's appointment as Vicar-Apostolic is cancelled and he is designated to assist Du Bourg as Coadjutor. Within three years, Louisiana shall be divided into two episcopal Sees and, unless Du Bourg should die in the meantime, Rosati shall be created bishop of that See which the Bishop of New Orleans will not take for himself.

*Dilecto filio Iosepho Rosati presbytero Congregationis Missionis electo
Episcopo Tenagrensi,
PIUS PP. VII.*

Dilecte fili, salutem et apostolicam benedictionem.

§ 1. Cum superiori anno⁴ ex relatione secretarii Congregationis venerabilium fratrum Sanctae Romanae Ecclesiae Cardinalium Propagandae Fidei praepositorum acceperimus, duo territoria Mississipi et

⁴ The following day, Pius VII wrote to Du Bourg in practically the same words as those addressed to Rosati:

Venerabili fratri Ludovico Guillelmo

Novae Aureliae Episcopo,

PIUS PAPA VII.

Venerabilis frater,

salutem et apostolicam benedictionem.

§ 1. Cum superiori anno ex relatione secretarii Congregationis venerabilium fratrum nostrorum S. R. E. Cardinalium Propagandae Fidei praepositorum suscepimus, duo territoria Mississipi et Alabamae appellata, in foederatis Americae provinciis existentia, quorum spirituale regimen pertinebat ad Baltimorem Archiepiscopum, a Metropolitana sede tam dissita esse, ut neque Archiepiscopus praedictus per se ipsum, neque per te tamquam suum Vicarium generalem, attenta translatione tuae residentiae in civitate S. Ludovici in Luisianâ Superiori, quae leucas circiter quingentas ab iisdem territoriis distat, eorum curam gerere posset, ac proinde Baltimorensis Archiepiscopus a spirituali eorundem territoriorum regimine se sponte dimiserit; nos pastoralis officii nostri esse duximus, illorum necessitati consulere, ac propterea Vicarium Apostolicum duobus territoriis praedictis cum caractere et titulo episcopali dilectum filium Iosephum Rosati presbyterum congregationis Missionis per alias nostras in simili formâ Brevis die XIII. augusti MDCCCXXII. datas literas designavimus, ac deinde, quum tu, ob distantiam pariter locorum, Floridarum curam gerere nullo modo posses, eamque propterea sponte dimiseris, ambas illas provincias a Novae Aureliae dioecesi distractas, ad tempus et donec aliter per hanc S. Sedem provideretur, Apostolico Vicariatus praedicti per alias pariter nostras in eadem formâ Brevis die XXI. ianuarii currentis anni datas literas adiunximus.

§ 2. Nunc autem ex recenti eiusdem Congregationis Secretarii relatione tuis literis innixa nobis innotuit, Vicariatus Apostolici praedicti institutionem et successivam Floridarum unionem, nec non praedicti Rosati designationem, non modo inutiles esse ob catholicorum in statibus illis infrequentiam, non modo inopportunas eo quod regiones eae Episcopo sustentando omnino impares sint, verum etiam, quoad praedictam designationem, Religioni ipsi in totâ Luisianâ extremam perniciem afferre; intereant enim oportet, prout asseritur, tum domus Congregationis Mis-

Alabama appellata, in foederatis Americae provinciis existentia, quorum spirituale regimen pertinebat ad Baltimorem archiepiscopatum, a metropolitana sede tam dissita esse, ut neque Archiepiscopus praedictus per seipsum, neque per venerabilem fratrem Ludovicum Novae Aureliae Episcopum tamquam suum vicarium generalem, attenta translatione suae residentiae in civitatem Sancti Ludovici in Luisiana superiori, quae leucas circiter quingentas ab iisdem territoriis distat, eorum curam gerere posset, ac proinde Baltimorensis Archiepiscopus a spirituali eorundem territoriorum regimine se sponte dimiserit, nos pastoralis officii nostri esse duximus, illorum fidelium necessitati consulere, ac propterea te in Vicarium Apostolicum duobus territoriis praedictis cum

sionis, quae nuper tantâ cum ecclesiae utilitate in Luisianâ condita est, tum Seminarium clericorum, tum denique Collegium adolescentibus religioni ac bonis artibus instituendis praedicto Iosepho Rosati, Vicario electo, a Luisianâ abeunte, qui unus his omnibus, propter sacrorum ministrorum, qui in eâ regione commorantur, exiguum numerum et immaturam aetatem, utiliter praeesse potest.

§ 3. Hisce mature perpensis, ac de eorundem ven. fratrum nostrorum S. R. E. Cardinalium Propagandae Fidei praepositorum consilio pro maiori Religionis et fidelium utilitate de sententiâ decedere opportunum esse ducimus. Nos igitur praedictas apostolicas literas, quibus Vicariatum Apostolicum territoriorum Mississippii et Alabamae in foederatis Americae provinciis instituimus, eique Floridas ex dioecesi Novae Aureliae disiunctas adiunximus, et praedictum Rosati in Vicarium Apostolicum huiusmodi elegimus, auctoritate apostolicâ tenore praesentium revocamus et abrogamus, et ita, ut dilectus filius Iosephus Rosati praedictus, qui Episcopus Tenagensis fuit a nobis per alias apostolicas literas die XIII. augusti MDCCCXXII. datas electus, et nunc forsâ consecrationis munus iam suscepit, revocatâ designatione ad Vicarii Apostolici officium, opem tibi in procurandâ ecclesiâ tuâ ferat, et sit tuus Coadiutor, sub lege tamen instituendâ, tibi et illi imponendâ, ut Luisiana tota in duos Episcopatus intra triennium dividenda sit: qua quidem divisione nondum perfectâ, si tu (quod Deus avertat) e vivis decedas, Rosatus praedictus universam Luisianam initio obtinere debeat, eâ vero divisione ad exitum perductâ, unam tantum ex duobus illis sedibus gubernare ipse teneatur, alterâ illi relictâ, quem Sedes Apostolica designaverit: quod si vero, te adhuc vivo (id autem a Domino ex corde precamur) Luisianae divisio absolvatur, tunc volumus, ut Rosatus praedictus continuo, coadiutoris tui officio deposito, per apostolicas literas eo tempore scribendas, illius ex duobus sedis Episcopus sit instituendus, quam tu relinques. Haec auctoritate nostrâ mandamus atque statuimus; non obstantibus praemissis, ac constitutionibus et ordinationibus apostolicis, ceterisque contrariis quibuscumque.

Datum Romae, apud S. Mariam Maiorem, sub annulo Piscatoris, die xv. iulii MDCCCXXIII., pontificatus nostri anno XXIV.

De Martinis, IV, 640-641, note; *BCPF*, IV, 409-411.

charactere et titulo episcopali ecclesiae Tenagrensi, per alias nostras in simili forma brevis die decima tertia augusti millesimo octingentesimo vigesimo secundo datas literas,⁵ designavimus, ac dein, quum praedictus Episcopus Novae Aureliae, ob distantiam pariter locorum, Floridarum curam gerere nullo modo posset, eamque propterea sponte dimiserit, ambas illas provincias a Novae Aureliae dioecesi distractas, ad tempus, et donec aliter per hanc Sanctam Sedem provideretur, apostolico vicariatus praedicto per alias pariter nostras in simili forma brevis die XXI. ianuarii currentis anni datas literas adiunximus.⁶ Nunc autem ex recenti eiusdem Congregationis secretarii relatione literis Episcopi Novae Aureliae innixa nobis innotuit, vicariatus praedicti institutionem et successivam Floridarum unionem, nec non tuam ad vicariatum huiusmodi designationem, non modo inutiles esse, ob catholicorum in statibus illis infrequentiam, non modo inopportunas, eo quod regiones illae Episcopo sustentando omnino impares sint, verum etiam, quoad praedictam designationem, religioni ipsi in tota Lusiana extremam perniciem afferre, intereant enim oportet, prout asseritur, tum domus Congregationis Missionis, quae nuper tanta cum Ecclesiae utilitate in Luisiana condita est, tum seminarium clericorum, tum denique collegium adolescentibus religioni ac bonis artibus instituendis, te a Luisiana abeunte, qui unus his omnibus propter sacrorum ministrorum, qui in ea regione commorantur, exiguum numerum et immaturam aetatem, utiliter praeesse potes. Hisce mature perpensis, ac de eorumdem vnn. fratrum nostrorum Sanctae Romanae Ecclesiae Cardinalium Propagandae Fidei praepositorum consilio, pro maiori religionis et fidelium utilitate de sententia decedere opportunum esse ducimus.

§ 2. Nos igitur praecitatas apostolicas literas, quibus vicariatum Apostolicum territorium Mississippi et Alabama in foederatis Americae provinciis instituimus, eique Floridas ex dioecesi Novae Aureliae disunctas adiunximus, et te in vicarium apostolicum elegimus, auctoritate apostolica, tenore praesentium revocamus et abrogamus, et ita, ut tu, qui Episcopus Tenagrensis fuisti a nobis per alias apostolicas literas die XIII. augusti MDCCCXXII. datas electus, et nunc forsitan consecrationis munus iam suscepisti, revocata designatione ad vicarii apostolici officium, opem Episcopo Novae Aureliae in procuranda ecclesia suae feras, fungendo munere sui coadiutoris, sub lege tamen instituenda, tibi quae illi Episcopo imponenda, ut Luisiana tota in duos episcopatus intra triennium dividenda sit; qua quidem divisione nondum perfecta, si Episcopus Novae Aureliae (quod Deus avertat) e vivis decedat, tu universam Luisianam initio obtinere debeas; ea vero divisione ad exitum perducta, unam tantum ex duabus illis sedibus tu gubernare tenearis, alteri illi relicta, quem Sedes Apostolica designaverit. Quod si vero Episcopo Novae Aureliae adhuc vivo (id autem a Domino ex corde precamur)

⁵ This Brief is given in Document 36.

⁶ Document 38.

Luisianae divisio absolvatur, tunc volumus ut tu, continuo coadiutoris officio deposito, per apostolicas literas eo tempore scribendas, illius ex duabus sedibus Episcopus sis instituendus, quam Episcopus Novae Aureliae relinquet. Haec auctoritate nostra apostolica mandamus atque statuimus, non obstantibus praemissis, ac constitutionibus et ordinationibus apostolicis, caeterisque contrariis quibuscumque.

§ 3. Mandamus propterea in virtute sanctae obedientiae omnibus et singulis ad quos spectat ac spectabit pro tempore, ut te ad officium coadiutoris, et, si divisio Luisianae, vivente Episcopo Novae Aureliae, ad exitum non fuerit perducta, tunc ad universae Luisianae spirituale gubernium initio, iuxta earundem praesentium tenorem admittant, tibi in omnibus, quae ad huiusmodi gubernium pertinent, praesto sint, atque obediant, tuaque salubria monita et mandata reverenter suspiciant, ac efficaciter adimpleant, alioquin sententiam seu poenam, quam rite tuleris in rebelles, seu statueris, ratam habebimus et faciemus, auctore Domino, usque ad satisfactionem condignam inviolabiliter observari.⁷

Datum Romae, apud S. Mariam Maiorem, sub annulo Piscatoris, die XIV. iulii MDCCCXXXIII., pontificatus nostri an. XXIV.

Sources: *Prop. Arch., Lettere*, vol. 304, f. 469; De Martinis, IV, 641-642; *BCPF*, IV, 407-409; Hernaez, II, 784.

Translated in *CHR*, III, 18-19.

⁷ Propaganda wrote to Rosati on November 22, 1823, charging him under holy obedience to accept the episcopate and at the same time returned the brief of August 13, 1822, brought by Father Borgna. The brief of July 14, 1823, reached the "Barrens" on December 6, and Rosati realized that he would have to yield. Two days later, December 8, 1823, he wrote to Propaganda that he had resigned himself to the inevitable and would be consecrated as soon as possible. Rosati was consecrated at Donaldsonville, Louisiana, on March 25, 1824 as titular Bishop of Tenagra. Cf. Souvay, *loco cit.*, 20-21, 165 ff. The description of the consecration, taken from Rosati's *Diary* is printed in the *St. Louis Catholic Historical Review*, V, 71-72.

PART III

PONTIFICATE OF LEO XII

(September 28, 1823–February 10, 1829)

LEO XII TO DU BOURG

AUGUST 19, 1825

The suppression of the Vicariate-Apostolic of Alabama-Mississippi-the Two Floridas meant that Florida reverted to Du Bourg, while Alabama and Mississippi fell again under the jurisdiction of Maréchal. The latter appointed Du Bourg as his vicar for the two States of Alabama and Mississippi, and Du Bourg appointed Bishop England of South Carolina as his vicar for Florida. Propaganda again tried to bring order out of chaos and, on December 22, 1824, reached the conclusion that Mississippi was to be lopped off from Baltimore with Maréchal's consent and joined to Louisiana; Florida and Alabama were to be created into a Vicariate-Apostolic.¹ The following day Michael Portier was chosen as vicar-apostolic of the newly created vicariate, and after receiving Maréchal's consent, Propaganda placed Mississippi under Du Bourg who was to govern the territory as vicar-apostolic. On August 26, 1825, Florida and Alabama were erected into a Vicariate-Apostolic with Portier as Bishop.

Summary: Mississippi is too far from Baltimore and Marechal has resigned his charge over the State. Until the Diocese of New Orleans shall be divided, Mississippi is placed under the jurisdiction of the nearest diocese (New Orleans), and Du Bourg is to rule the State as Vicar-Apostolic.

*Venerabili fratri Ludovico Gulielmo*² *Neo-Aurelianensi Episcopo,*
LEO PP. XII.

Venerabilis frater, salutem et apostolicam benedictionem.

§ 1. Cum ven. frater Ambrosius Marechal Archiepiscopus Baltimorensis, cuius iurisdictioni dioecesanæ status Mississipensis in Foe-

¹ *Prop. Archives, Atti* (1824), f. 619.

² William Du Bourg was born in San Domingo, on February 14, 1766, ordained to the priesthood in 1788, joined the Sulpicians and came to the United States in 1794. He was consecrated bishop on September 24, 1815, and resigned his charge in 1826, when he was transferred to the See of Montauban, France. In 1833, he was promoted to the Archiepiscopal See of Besançon and died the same year on December 12, 1833. Clarke, *Lives of Deceased Bishops*, I, 205-238; Guilday, *John Carroll, passim*.

deratâ Americâ subiectus erat, ob nimiam a dioecesi suâ distantiam sponte se a iurisdictione in eundem abdicaverit, nos, dimissione eiusdem Baltimorensis Archiepiscopi acceptatâ, necessitati fidelium eiusdem status consulere volentes, donec, factâ divisione Luisianae in duos Episcopatus, illud regimen uniatur Episcopo viciniore, ac de tuâ probitate, integritate, doctrinâ, atque prudentiâ plurimum in Domino confisi, teque a quibusvis excommunicationis, etc. censentes, de venn. fratrum nostrorum Sanctae Romanae Ecclesiae Cardinalium negociis de Propaganda Fide praepositorum consilio, fraternitati tuae regimen eiusdem status sub titulo Vicarii Apostolici ad nostrum et Sedis Apostolicae beneplacitum committimus cum solitis facultatibus, salvâ tamen semper in praemissis auctoritate Congregationis eorundem Cardinalium.

§ 2. Mandantes propterea omnibus et singulis, ad quos pertinet, ut te ad demandatum tibi per praesentes Vicarii Apostolici officium illiusque liberum exercitium iuxta tenorem praesentium recipiant et admittant, tibi in omnibus ad idem officium pertinentibus faveant, pareant, et assistant, tuaque salubria monita et mandata humiliter suscipiant et efficaciter adimplere eurent, alioquin sententiam sive poenam, quam rite tuleris in rebelles, ratam habebimus et faciemus auctore Domino usque ad satisfactionem condignam inviolabiliter observari.

§ 3. Non obstantibus constitutionibus et ordinationibus apostolicis, nec non dieti status etiam iuramento, confirmatione apostolicâ, vel quavis firmitate aliâ roboratis statutis et consuetudinibus, privilegiis quoque, indultis et literis apostolicis in contrarium praemissorum quomodolibet concessis, confirmatis et innovatis, quibus omnibus et singulis illorum tenores pro plene et sufficienter expressis ac de verbo ad verbum insertis habentes, illis alias in suo robore permansuris, ad praemissorum effectum hac vice dumtaxat specialiter et expresse derogamus, caeterisque contrariis quibuscumque.

Datum Romae apud S. Petrum sub annulo Piscatoris, die XIX. augusti MDCCCXV., pontificatus nostri anno II.

Sources: De Martinis, IV, 652-653; *id.*, 659-660 (a footnote says that the second document is taken from the *Registrum Brevium* of Propaganda, vol. III, p. 288); *BCPF*, V, 14; Hernaez, II, 785.

No. 41.

LEO XII

JULY 18, 1826

In 1823, the Holy See had decreed the division of the Diocese of Louisiana within three years. Du Bourg, however, was opposed to the division and in 1825, sent a petition to Propaganda asking

that it be postponed for the time being. Rosati, on the other hand, favored the division of the diocese and in this he had the support of Bishop Flaget of Bardstown and his Coadjutor, Bishop David.¹ In other matters, too, Du Bourg and his coadjutor were at variance; added to this was the fact that Du Bourg received opposition from his own clergy. He fell to brooding over what he termed a total misunderstanding of his actions and intentions and in a letter to Propaganda, February 27, 1826, after describing the persecutions which he had to suffer, he asked the Congregation to accept his resignation. Propaganda had learned, through letters from Bardstown, New Orleans, and Baltimore that Du Bourg had reached such a state of suspicion and sensitiveness that coöperation with other bishops and priests was hardly possible. The Holy See, therefore accepted his resignation on June 26, 1826, and three weeks later decreed that Louisiana should be divided into the Dioceses of New Orleans and St. Louis.

Summary: Pius VII, by the Brief of July 14, 1823, had decreed the separation of Louisiana into two dioceses within three years. Knowing that such a division will conduce to the good of religion, to the spiritual welfare of the faithful, to the increase of the clergy and the glory of the Church, Leo XII decrees that the Diocese of New Orleans shall henceforth include only the lower part of Louisiana and the Territory of Mississippi. The upper part of Louisiana is erected into a separate diocese with the episcopal See at St. Louis.

LEO PP. XII.

ad perpetuam rei memoriam.

§ 1. Inter multiplices gravissimasque apostolatus nostri curas non exiguam tenet partem ea, quae dioecesium per universum orbem distributarum respicit statum. Siquidem supremæ potestatis iudicii nostri est novos earum limites constituere, vel constitutos immutare, prout, habita temporum ac circumstantiarum ratione, fidelium utilitati conducere dignoscimus.

§ 2. Quum felicis recordationis Pius Papa VII. decessor noster per suas apostolicas in simili forma brevis die decima quarta iulii millesimo octingentesimo vigesimo tertio datas literas, de consilio venerabilium fratrum nostrorum Sanctæ Romanæ Ecclesiæ Cardinalium negociis

¹ Cf. Souvay, *loco. cit.*, 180-182. The correspondence of Du Bourg is printed in the *St. Louis Catholic Historical Review*, I, II, III.

Propagandae Fidei praepositorum, decreverit, Luisianam totam intra triennium in duos episcopatus dividendam esse, nos, auditis praedictis venerabilibus fratribus, ac rebus omnibus mature perpensis, memoratam divisionem ad exitum perducere curamus, in spem adducti, ex hac divisione permagna religionis confirmandae et latius quotidie propagandae proventura commoda, quum episcopatu etiam in superiori Luisiana constituto expeditius procurari ibi possint, quae catholicorum in iis regionibus magno numero commorantium spirituale bonum respiciunt, quae conducere poterunt ad copiosiores clerum ibi efformandum, quaeque ad fidelium copiam amplificandam, et Ecclesiae splendorem augendum sunt in primis opportuna.

§ 3. Nos itaque per praesentes auctoritate apostolica statuimus ac decernimus, in dioecesi Novae Aureliae in posterum solam inferiorem Luisianam cum territorio Mississippi, quod in praesentiarum venerabilis frater Episcopus Novae Aureliae tamquam Vicarius Apostolicus gubernabat, comprehendere, superiorem vero Luisianam separatam a dioecesi Novae Aureliae in propriam dioecesim erigi, cuius sedes sit in civitate Sancti Ludovici. Mandantes propterea omnibus et singulis, ad quos spectat ac in futurum spectabit, ut praedictis dispositionibus nostris se subiiciant, illasque accurate exequi teneantur ac debeant.

§ 4. Decernentes has praesentes literas firmas, validas et efficaces existere ac fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis ad quos spectat, et pro tempore quandocumque spectabit, in omnibus et per omnia plenissime suffragari, et ab eis respective inviolabiliter observari; sique in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii nostri apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.

§ 5. Non obstantibus apostolicis, ac in universalibus, provincialibus et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, caeterisque contrariis quibuscumque.

Datum Romae apud S. Petrum sub annulo Piscatoris, die xviii. iulii MDCCXXVI, pontificatus nostri anno iii.

Sources: De Martinis, IV, 677-678; *BCPF*, V, 20-21; *BRC*, XII, 457; Hernaez, II, 787.

No. 42.

LEO XII TO ROSATI

JULY 18, 1826

On the same day that the Holy See divided the Diocese of Louisiana, a papal brief was sent to Rosati informing him that

he should accept the bishopric of New Orleans and at the same time administer the Diocese of St. Louis.

Summary: Leo XII to Rosati. Apostolic Letters have been issued on this same day, dividing Louisiana into two dioceses. Rosati is needed in Louisiana and happy results are promised if he will follow the counsel of the pope. The resignation of Du Bourg has been accepted and Rosati is to administer and govern the two Dioceses of New Orleans and St. Louis. He is admonished to accept the bishopric of New Orleans since his labors are valuable to the diocese. The incumbent for the See of St. Louis has been chosen. The letter ends with a warm appeal to Rosati that he bow to the wishes of the Holy See.

Venerabili fratri Iosepho Rosati Episcopo Tenagrensi,

LEO PP. XII.

Venerabilis frater, salutem et apostolicam benedictionem.

§ 1. Quod fel. rec. praedecessor noster Pius PP. VII. tribus ab hinc annis faciendum nunc esse statuerat, quodque tibi, ven. frater, literis apostolicis die XIV. iulii an. MDCCCXXXIII. scriptis diserte significaverat, id hodiernâ die fecisse nos in Domino laetamur. Dedimus enim alias hac ipsâ die, sub annulo Piscatoris literas apostolicas, quibus Luisianam totam in duos Episcopatus divisimus. Nam superiorem illius regionis partem a dioecesi Novae Aureliae seiunximus, et novam dioecesim constituimus, quae superiorem omnem Luisianam comprehenderet, sedemque illius episcopalem civitatem S. Ludovici esse decrevimus: Novae Aureliae autem dioecesim inferiori tantum Luisianâ constare iussimus una cum territorio Mississipio, quod literis apostolicis die XIX. augusti MDCCCXXV. datis Episcopo Novae Aureliae tamquam Vicario Apostolico gubernandum commiseramus. Novus igitur Ecclesiae in Luisianâ administrandae nascitur ordo, ac omnem sperandi rationem habemus, novi quem diximus episcopatus erectionem permagno religionis nostrae incremento in istis regionibus esse futuram.

§ 2. Verum operâ tuâ, ven. frater, in tam gravi negotio nunc maxime indigemus, nobisque persuasimus, si tu consilio nostro obsequaris, felicem exitum rem esse habituram. Annuendum enim tandem aliquando arbitrati sumus precibus ven. fratris Ludovici Guillelmi Du-Bourg hactenus Novae Aureliae Episcopi, qui pluries a nobis petiit, ut episcopatus sui abdicationem seu renunciationem susciperemus, ac de consilio venn. fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum memoratam abdicationem vel renunciationem nos accep-
tasse ei significavimus. Rebus igitur mature perpensis, ac de eorumdem venn. fratrum nostrorum S. R. E. Cardinalium consilio, id primo loco

statuimus, ut, quoad aliter a nobis decernatur, tum utramque dioecesim, tum Novae Aureliae tum S. Ludovici, administres ac gubernes.

§ 3. Deinde, quoniam religioni vehementer omnino expedire videtur, ut tu Novae Aureliae instituaris Episcopus, auctores et hortatores tibi sumus, ut hunc episcopatum acceptes. Nam intelligimus quantopere tu opportunus utilisque futurus sis religionis negotiis in dioecesi Novae Aureliae feliciter regendis. Habemus vero iam prae oculis quem Episcopum S. Ludovici instituamus, hominem scilicet, qui opera ad fidem ibi confirmandam propagandamque a te incepta prosequetur, nihilque omittet quod Ecclesiae utilitati esse possit, praesertim cum tu inde discedens sacerdotum numerum religionis necessitati parem ibi relicturus sis. Age ergo, ven. frater, et novum hoc tuae erga nos Sedemque Apostolicam observantiae argumentum suppedita. Magnam de tuo religionis amplificandae eiusque utilitatis procurandae studio opinionem iamdiu iure concepimus. Scimus te nihil aliud nisi Dei Opt. Max. gloriam, animarum salutem, et Ecclesiae incrementum dies noctesque cogitare. Exploratum denique nobis est tuis laboribus auctum in istis regionibus esse religionis splendorem, ac te praeclare respondisse expectationi, quam boni omnes conceperunt, cum te missionibus Luisianae devovisti. Restat, ut episcopatus, quem memoravimus, Novae Aureliae acceptatione meritis tuis ornamentum aliud adiungas. Huic autem consilio et exhortationi nostrae ubi primum te assentiri nobis significaveris, continuo ad te literas apostolicas mitemus, quibus Novae Aureliae Episcopatus tibi conferatur. Interea vero apostolicam benedictionem tibi peramanter impertimur.

Datum Romae apud S. Petrum sub annulo Piscatoris die XVIII. iulii MDCCCXXVI.,¹ pontificatus nostri anno III.

Sources: De Martinis, IV, 678-679; *BCPF*, V, 19-20; Hernaez, II, 786.

No. 43.

BRIEF OF LEO XII

MARCH 20, 1827

The necessity of having an episcopal See in the Northwest was realized by Bishops Flaget and Du Bourg as early as 1819, during which year they corresponded on the subject, and wrote to Maréchal

¹ The *BCPF* has the Brief dated July 14. This is an evident mistake since the Brief expressly refers to the Bull dividing the diocese as having been expedited *hac ipsa die*, namely, July 18. De Martinis gives July 18 as the date for both papal documents. Cf. *infra*, Document 44, where Leo XII speaks of the document having been written on July 18.

that new Sees should be erected in Cincinnati,¹ Vincennes,² and Detroit. Maréchal, however, thought the establishment of a See in Detroit premature and wrote as much to Propaganda which followed his advice and appointed Fenwick, Bishop of Cincinnati, Administrator of Michigan and the Northwest.³ As soon as Fenwick was installed in Cincinnati he petitioned the Holy See to establish the See of Detroit and his repeated request was finally granted when Leo XII, on November 8, 1823, issued a rescript referring the matter to Propaganda. The Sacred Congregation wrote to Maréchal on January 24, 1824, that he and Fenwick should come to an agreement and arrange matters at Detroit. The two prelates, whose main difficulty centered about the occupant of the new See, finally came to an agreement, and Propaganda proceeded to erect the See and appointed Gabriel Richard as Bishop of Detroit.⁴

Summary: Since, on the testimony of Ambrose Marechal, Archbishop of Baltimore, and Edward Fenwick, Bishop of Cincinnati, and others, it is very important for the good of religion that the provinces of Michigan and the Northwest be established as a separate diocese with the episcopal See in Detroit, Leo XII decrees the erection of the same.

LEO PP. XII.

ad futuram rei memoriam.

§ 1. Inter multiplices⁵ gravissimasque apostolatus nostri curas non exiguam tenet partem ea, quae dioecesium per universum orbem distributarum respicit statum: supremæ siquidem potestatis iudiciiue nostri est novos earum limites constituere, vel constitutos immutare, prout, habita temporum ac circumstantiarum ratione, fidelium utilitati conducere dignoscimus. Quum ex acceptis venerabilium fratrum Ambrosii Marechal Archiepiscopi Baltimorensis et Eduardi Jenwinck [Fenwick] Episcopi Cincinnatiensis aliorumque gravissimis testimoniis constiterit, opportunissimum esse ad religionem in provinciis Michigan et Nordwest amplificandam confirmandamque, ex iisdem provinciis, quibus haecenus

¹ Cf. *supra*, Document 33.

² Vincennes was established on May 6, 1834. Cf. *infra*, Document 56.

³ *Ibid.*

⁴ Lamott, *op. cit.*, 103-104.

⁵ This Brief for some unaccountable reason never left Rome. The See of Detroit was finally created on March 8, 1833. Cf. Document 54.

venerabilis frater Episcopus Cincinnatensis praedictus veluti administrator apostolicus praefuit, peculiarem propriamque dioecesim erigere et constituere, cuius sedes sit in civitate Detroit, fines autem earundem, provinciarum limites, nos, de venerabilium fratrum nostrorum S. R. E. Cardinalium negociis Propagandae Fidei praepositorum consilio, rebus omnibus mature perpensis, memoratae dioecesis erectionem ad exitum perducimus. Per praesentes igitur nostras apostolicas literas ex apostolicae potestatis plenitudine provincias Michigan et Northwest praedictas peculiarem propriamque dioecesim erigimus et constituimus, cuius episcopatus sedes sit in civitate Detroit, fines autem, earundem provinciarum limites, cum omnibus iuribus, privilegiis et honoribus, nec non oneribus solitis et consuetis, aliisque per canonicas sanctiones huiusmodi dioecesibus concessis et attributis. Mandantes propterea omnibus et singulis ad quos spectat, ac in futurum spectabit, ut praedictis dispositionibus nostris se subiiciant, illasque accurate exequi teneantur ac debeant.⁶

§ 2. Decernentes has praesentes literas firmas, validas et efficaces existere ac fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis ad quos spectat et pro tempore quodcumque spectabit, in omnibus et per omnia plenissime suffragari, et ab eis respective inviolabiliter observari; sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii nostri apostolici auditores, indicari et definiri debere, ac irritum et inane si secus super his a quocumque quavis auctoritate scienter vel ignoranter contigerit attentari.

§ 3. Non obstantibus constitutionibus et ordinationibus apostolicis, ac ecclesiae praedictae etiam iuramento, confirmatione apostolica vel quavis firmitate alia roboratis statutis et consuetudinibus, caeterisque contrariis quibuscumque.

Datum Romae, apud S. Petrum sub annulo Piscat., die xx. martii MDCCCXXVII., pontificatus nostri anno v.

Sources: De Martinis, IV, 681-682; *BRC*, XIII, 513.

⁶ Gabriel Richard, who was appointed to the new See, was born at Saintes, France, Oct. 15, 1767. He came as a missionary to the Northwest in 1792, where his early labors centered about Kaskaskia and Prairie du Rocher. In 1798, he was appointed Vicar-General for the Northwest and pastor of St. Anne's, Detroit. Richard during this time was elected to Congress, the first and only time, a Catholic priest in good standing has ever held that office. He was a many-sided genius, being a learned theologian, an educator, editor, linguist, and co-founder of a university (Michigan). He died, a victim of the cholera, September 13, 1832. Cf. Rothensteiner, *op. cit.*, *passim*; Girardin, J. A., "Life and Times of Gabriel Richard", in *Michigan Pioneer Collections*, I; *Researches*, XXII, 224; "Sketch of the Life of Father Gabriel Richard", in *Records*, XXXVII (1926), 250 ff.

No. 44.

LEO XII TO ROSATI

March 20, 1827

Although he had been requested by the Holy See to accept the bishopric of New Orleans, Rosati felt that he was unequal to the task. He was unwilling, however, to act upon his own judgment and took counsel with Bishop Flaget and his Coadjutor, Bishop David. These two prelates reached the conclusion that Rosati should decline the bishopric of New Orleans. Du Bourg, who, at the time, was Bishop of Montauban, France, was also enlisted by Rosati to plead his cause. The former Bishop of New Orleans felt that, although Rosati was equal to the task, he should be spared the burden of governing the Diocese of New Orleans. Du Bourg advised the Cardinal Prefect to leave to Rosati, for an unlimited length of time, the administration of both dioceses and to give him a coadjutor, in the person of Rev. Leo De Neckere, C. M.¹ Propaganda followed Du Bourg's advice to the letter as is evident from the following Brief to Rosati.

Summary: When Rosati received the brief of July 18, 1826, in which he was proposed as the Bishop of New Orleans, he wrote to the pope and the Congregation that it would conduce more to the good of religion, if he were Bishop of St. Louis rather than of New Orleans. Rosati is, therefore, transferred from the See of Tenagra, *in partibus infidelium*, to the See of St. Louis and is appointed administrator of New Orleans for the time being.

*Venerabili fratri Iosepho Rosati Episcopo Tenagrensi et Ecclesiae
Novae Aureliae Administratori auctoritate apostolica deputato,*

LEO PP. XII.

Venerabilis frater, salutem et apostolicam benedictionem.

§ 1. Quum post acceptas nostras in simili formâ brevis die XVIII. iulii elapsi anni MDCCCXXVI. datas literas,² quibus fraternitati tuae proponebatur Episcopatum Novae Aureliae accipere, tu, supplici ad nos

¹ *Prop. Arch., Lettere*, printed in *St. Louis CHR*, III, 219-220. Cf. Rothensteiner, J., *History of the Archdiocese of St. Louis*, Part II, chapter I.

² Cf. Document 42.

misso libello,³ ac literis Congregationi venn. fratrum nostrorum S. R. E. Cardinalium negociis Propagandae Fidei praepositorum scriptis, ita responsum dederis et eiusmodi rationum momenta exposueris, ut ostenderes ad religionis bonum in Luisianâ uberius ac facilius procurandum omnino conducere, si tu Episcopus S. Ludovici in statu Missouriiano potius quam Novae Aureliae Episcopus deputaveris; nos, omnibus mature perpensis, ac de eorumdem Cardinalium consilio, te a Tenagrensi sede in partibus infidelium, quam ad praesens obtines, transferre, et Episcopum S. Ludovici nominare atque instituere decrevimus, retentâ etiam a te tamquam administratore apostolico dioecesi Novae Aureliae, donec aliter haec S. Sedes statuerit, quemadmodum literis apostolicis praedictis illius ecclesiae administratio tibi fuit commissa.

§ 2. Nos itaque te a quibusvis excommunicatione etc. absolutum fore censentes, fraternitatem tuam a Tenagrensi sede in partibus infidelium, ad aliam S. Ludovici in statu Missouriiano actu vacantem auctoritate apostolicâ tenore praesentium transferimus, ac illi in Episcopum praeficimus et pastorem, curam, regimen et administrationem ipsius ecclesiae tibi in spiritualibus et temporalibus plenarie committendo, ac praeterea mandamus, ut tu tamquam administrator apostolicus dioecesim Novae Aureliae, donec aliter haec Apostolica Sedes statuerit, gubernare prosequaris, quemadmodum literis apostolicis diei XVIII. iulii elapsi anni MDCCCXXVI. illius ecclesiae administratio fuit tibi commissa.

§ 3. Nos vero in illo, qui dat gratiam et largitur dona, confisi quod, dirigente Domino actus tuos, praefata ecclesia S. Ludovici per tuae circumspectionis industriam et studium utiliter et prospere dirigetur, parique utilitate et prosperitate administratio Ecclesiae Novae Aureliae procedet, grataque in spiritualibus et temporalibus incrementa suscipiet. Iugum igitur Domini tuis impositum humeris promptâ devotione animi amplectens, curam et administrationem praedictas ita studeas fideliter prudenterque exercere, ut ecclesia S. Ludovici gaudeat se provido gubernatori et fructuoso administratori esse commissam, tuque praeter aeternae retributionis praemium nostram quoque et Sedis Apostolicae uberius exinde consequi merearis benedictionem et gratiam. Non obstantibus constitutionibus et ordinationibus apostolicis, ceterisque contrariis quibuscumque.⁴

Datum Romae, apud S. Petrum sub annulo Piscat., die xx. martii MDCCCXXVII., pontificatus nostri anno v.

Sources: De Martinis, IV, 682-683; *BCPF*, V, 25; Hernaez, II, 788-789.

³ Rosati's memoir which he desired Father Baccari to present to the pope, is given by Souvay in *St. Louis CHR*, III, 183. Cf. *CHR*, III, 185; Rothensteiner, *op. cit.*, I, 427.

⁴ The Brief reached the "Barrens" on July 12. 1827. *Diary of Rosati in Souvay, CHR*, III, 186.

No. 45.

PROPAGANDA TO BISHOP CONWELL

MAY 19, 1827

The papal brief and letter of instructions sent to the American Church in 1822, did not put an end to the troubles in Philadelphia. Hogan eventually quit the scene, but his place was taken by Father O'Meally who went to Rome in 1825, to negotiate a concordat on the basis of lay patronage. The trustees had tried to force a bill through the Pennsylvania legislature giving them the title to choose their own pastors, but it was defeated. The aged Bishop Conwell who was weary of the whole affair, finally succumbed to the continual demands of the trustees and signed the Pact of October 9, 1826.¹ The Pact was a virtual surrender. When the Holy See received the document, Propaganda immediately rejected and condemned it in the following letter to Conwell:

Summary: We have received your letter of October 20, 1826, in which you inform us of the agreement entered into between yourself and the trustees of St. Mary's Church, and likewise your letter of March 20, in which you enclosed a copy of the Pact. We were somewhat relieved to know that the trustees had decided to submit the agreement to the Holy See and we are confident that you and the trustees will receive the answer of the Sacred Congregation with the proper respect.

Wherefore, knowing that the agreements were calculated to overthrow all episcopal authority and discipline in the diocese, the Cardinals, in a general assembly of April 30, decided that the Pact and Declaration are to be entirely reprobated. That you may know the importance of the affair under consideration, we have to communicate to you that Leo XII confirmed the aforesaid answer of the Congregation.

¹ The Pact and Declaration are given in Tourscher, *Hogan Schism*, 216-221.

Illustrissimo ac Reverendissimo Domino Henrico Conwell, Episcopo Philadelphiae, Philadelphiam.

Illustrissime ac Reverendissime Domine:

Amplitudinis Tuae litterae die 20 Octobris, ac 20 Novembris,² anni 1826, scriptae ad nos pervenerunt, quibus nuntiabatur Conventionem quamdam Amplitudinem tuam inter ac Aedituos Ecclesiae St. Mariae Cathedralis tuae initam esse: Itemque a R. P. Antonio Kohlmann Soc. Jesu, accepimus epistolam a P. Michaelae Hurley Ordinis St. Augustini ad eundem die 22 Januarii, 1827 scriptam, in qua, quemadmodum Amplitudinis Tuae litteris die la Februarii continetur, *Pacti initi cum aedituis*³ summa; refertur ut ab ipso P. Kohlmann versa in Italicum sermonem, Sacrae Congregationi exhiberetur.⁴ Allatae denique nobis

² Printed in Tourscher, *Hogan Schism*, 220. The date given is March 17, 1827.

³ The Pact and Declaration are given *ibid.*, 216-221.

⁴ On the same day, the Sacred Congregation wrote to Bishop England of Charleston, S. C., announcing to him the Holy See's pronouncement on the case:

R. P. D. Joanni England, Episcopo Carolopolitano, Carolopolim.

Illustrissime ac Reverendissime Domine:

Quam graviter Sacra Congregatio de Propaganda Fide tulerit, quae Philadelphiae die 9, Octobris, anno 1826, R. P. D. Henricum Conwell, Episcopum Philadelphensem, inter et Aedituos Ecclesiae S. Mariae Cathedralis suae contigerunt, Amplitudo Tua facile intelliget, cui exploratum est summam Sacrae ipsius Congregationis studium, ut Catholica de Ecclesiastica jurisdictione Doctrina et Disciplina Ecclesiae Sanctissima, ubique sarta tectaque custodiatur. Ea enim Episcopum Philadelphensem inter et Aedituos est initia Conventio memorata die, ea ab Aedituis facta declaratio, ut spectet utraque ad Episcopalem potestatem, et Ecclesiasticam de ea potestate Disciplinam, in Dioecesi Philadelphensi, evertendam. Persuasum quidem est Sacrae Congregationi, Episcopum non satis accurata rei consideratione adductum esse ad assensum suum in eo negotio praebendum. Verum muneris esse sui prorsus Sacra Congregatio intelligit omnibus ostendere, quae sua sit de Conventione illa ac declaratione sententia: Quare Amplitudini Tuae significat, idque cupit a Te palam manifestari, Eminentissimos Cardinales, in Generali Conventu ad rem ipsam judicandum habito die 30 Aprilis, communi suffragio censuisse: *Conventionem et Declarationem, de qua sermo est, omnino esse reprobendam*. Ut vero quisque intelligat quanta sit rei, de qua agitur, gravitas, et quantopere in istis praecipue Regionibus Religionis intersit notum omnibus esse Conventionem inter declarationemque reprobendam esse, illud etiam Amplitudini Tuae Sacra Congregatio communicandum habet *Petrum per Leonem hac in re loquutum esse*. Nam Sanctissimus Dominus Noster Leo XII. re mature

sunt Amplitudinis Tuæ litteræ die 20 Martii ad nos Philadelphia missæ, quibus authenticum memoratæ conventionis die 9 Octobris, anno 1826, ab Amplitudine Tua cum Aedituis St. Mariæ initæ exemplum adjectum est, una cum aliquorum illius Ecclesiæ aedituorum epistola die 4 Novembris, ejusdem anni data, quæ conventio ipsa Sacræ Congregationis de Propaganda Fide judicio subijcitur. Profecto in summo dolore, quo effecti sumus cum conventionem illam considerare coeperimus cumque declarationem eam vidimus quæ die quo pactum initum fuit, ab aedituis facta est, aliquantum sumus recreati ob consilium ab aedituis susceptum de Conventione ipsa Sacræ Congregationis sententiæ subijcienda, nam cum intelligeremus Amplitudinem Tuam certe Sacræ Congregationis ac Sedis Apostolicæ judicio libenter obtemperaturam ac persuasum etiam haberemus te nonnisi ex re parum considerata natura adduci potuisse ad conventionem illam ineundam ac declarationem recipiendam, nos consolandi rationem suscepimus cum ex epistola aedituorum diei 4, Novembris, argumentum desumere potuimus eos etiam qua necesse est observantia Sacræ Congregationis et Sedis Apostolicæ responsum esse suscepturos.

Itaque significandum Amplitudini Tuæ habemus. Eminentissimos Cardinales in generali Conventu ad totam hanc rem judicandam die 30 Aprilis, habito facile intelligentes conventionem ac declarationem illam spectare ad Episcopalem Potestatem et Ecclesiasticam de ea potestate disciplinam in diocesi ista evertendam, communi suffragio censuisse *Conventionem et Declarationem*, de qua sermo est, *omnino esse improbandam*, eosdemque cupere id a te palam manifestari.—Ut vero Amplitudo Tua ceterique sibi persuadeant summam prorsus esse rei de qua agitur gravitatem, et in istis præsertim regionibus summopere Religionis interesse omnibus notum fieri conventionem illam ac declarationem esse reprobendam, illud etiam tibi communicandum habemus *Petrum per Leonem hac in re esse locutum*. Nam Sanctissimus Dominus Noster Leo P. P. XII. re accurate perpensa die 6 Maii, superius relatum Sac. Congregationis responsum confirmavit, suamque mentem esse expresse manifestavit Catholicos omnes in istis regionibus commorantes admoneri, Se ipsum quoque decernere conventionem et declarationem illam omnino reprobendam esse.

Confidimus futurum ut quemadmodum Sedis Apostolicæ judicium

perpensa, die Maji 6, superius relatum Sacræ Congregationis responsum confirmavit, suamque mentem esse expresse manifestavit, Catholicos omnes in istis Regionibus commorantes admonere, se ipsum quoque decernere Conventionem et Declarationem illam reprobendam omnino esse.

Confido futurum, ut cum in America innotuerit, quæ sit Sedis Apostolicæ hac de re sententia omnes pareant, resque Ecclesiasticæ in legitimo ordine contineantur, ac precor Deum, ut Amplitudinem Tuam die sospitem ac felicem servet.

Works of Bishop England, V, 206; translated ibid.

hac in re ab aedituis requisitum est, ita omnes sententiae pareant quae a Sede ipsa Apostolica profecta est, resque Ecclesiae ad legitimum ordinem isthic revertantur in eoque in posterum contineantur. Precamur Deum interea, ut Amplitudinem Tuam diu sospitem ac felicem servet.

Amplitudinis Tuae.

Romae ex Aedibus S. Congregationis de Propaganda Fide die 19 Maii 1827.

Sources: England's *Works*, V, 209; translated *ibid.*, 209-210.

No. 46.

LEO XII TO WILLIAM MATTHEWS

FEBRUARY 26, 1828

In a letter to Rev. William Vincent Harold, O. P., of Philadelphia, dated March 8, 1828, the Sacred Congregation said: "His Holiness, Pope Leo XII, desirous to take such measures as may restore tranquillity to the church of Philadelphia so long disturbed, has given directions that a letter in his name should be addressed to the Right Rev. Bishop Conwell, urging him to proceed as soon as possible to Rome: and has also deputed the Rev. William Matthews, parish priest of Washington, as Vicar-General-Apostolic of the Diocese of Philadelphia, during the absence of the aforesaid bishop from his diocese, and to govern the same until such time as the Holy See shall have otherwise provided".¹ This letter to William Matthews follows:

Summary: Since Henry Conwell, Bishop of Philadelphia, has been called to Rome, and Marechal is unable to fulfill the office of administrator of the diocese, owing to illness, Leo XII appoints Matthews Vicar-Apostolic-General of Philadelphia during Conwell's absence.

¹ *Works of John England*, V, 217.

*Dilecto filio Gulielmo Matthews presbytero Americano et parochio
Washington,²*

LEO PP. XII.

Dilecte fili, salutem et apostolicam benedictionem.

§ 1. Cum ven. frater Henricus Conwell Episcopus Philadelphiensis per Congregationem venn. fratrum nostrorum S. R. E. Cardinalium negociis Propagandae Fidei praepositorum invitatus Romam venturus quam primum sit, quumque ven. frater Ambrosius Marechal Archiepiscopus Baltimorensis, qui dioecesis praedictae Philadelphiensis Administrator auctoritate nostrâ apostolicâ fuerat designatus, ob gravissimam, qua afficitur, infirmitatem, illud munus suscipere omnino non possit; nos praedictae dioecesis necessitati, durante memorati Henrici Conwell Episcopi absentia a propriâ Ecclesiâ Philadelphensi, et donec aliter ab hac S. Sede constituatur, consulere volentes, ac tuâ pietate, prudentiâ, doctrinâ confisi, teque a quibusvis excommunicationis, suspensionis et interdicti, aliisque ecclesiasticis sententiis, censuris et poenis a iure, vel ab homine, quavis occasione vel causa latis, si quibus quomodolibet innodatus existis, ad effectum praesentium dumtaxat consequendum, harum serie absolventes et absolutum fore censentes, de eorundem Cardinalium consilio, te, durante absentia praedicti Henrici Conwell a propriâ dioecesi Philadelphensi, et ad nostrum et Sedis Apostolicae beneplacitum, Vicarium Apostolicum Generalem eiusdem dioecesis, auctoritate apostolicâ, tenore praesentium, deputamus, salvâ semper in praemissis auctoritate Congregationis eorundem Cardinalium.

§ 2. Mandamus propterea omnibus et singulis ad quos spectat ac pro tempore spectabit, ut te ad demandatum tibi per praesentes Vicarii Generalis Apostolici officium illiusque liberum exercitium, iuxta tenorem praesentium recipiant et admittant, tibi in omnibus ad idem officium pertinentibus faveant, pareant et assistant, tuaque salubria monita et mandata humiliter suscipiant, et efficaciter adimplere curent, alioquin sententiam, sive poenam, quam rite tuleris in rebelles, ratam habebimus et faciemus, auctore Domino, usque ad satisfactionem condignam inviolabiliter observari.

§ 3. Non obstantibus constitutionibus et ordinationibus apostolicis, caeterisque contrariis quibuscumque.

Datum Romae apud S. Petrum sub annulo Piscatoris, die xxvi. feb. MDCCXXVIII., pontificatus nostri anno v.

Sources: De Martinis, IV, 690; *BCPF*, V, 34-35.

² William Matthews was the first American-born student to enter St. Mary's Seminary, in Baltimore. He was ordained in 1800, three years after he entered. He became pastor of St. Patrick's Church in Washington, D. C., in 1805, and retained that post for fifty years. Cf. Guilday, *Carroll*, *passim*; Shea II, and III, *passim*. Matthews did not go to Philadelphia but remained in Washington; he does not seem to have had much influence in the Philadelphia Diocese as Vicar-General-Apostolic.

No. 47.

LEO XII TO BISHOP FENWICK OF CINCINNATI

MAY 2, 1828

Archbishop Maréchal's controversy with the Jesuits in Maryland was somewhat similar to that between Bishop Fenwick and the Dominicans in Ohio. Most of the missionaries in the Diocese of Cincinnati were members of the Order of St. Dominic and they were acquiring titles to church property in Ohio in the name of the Order and not of the bishop. Fenwick received no fruits from the property for his support and realizing that this state of affairs would place future Bishops of Cincinnati in a difficult position if they were not members of the Dominican Order, he resolved to have Rome settle the case. Propaganda wrote to Marechal on December 9, 1826, that he should investigate the complaint of Bishop Fenwick that he had no support because the title to nearly all the church property in the diocese was vested in the Dominicans. Fenwick himself decided on the course of action to be taken and on January 15, 1827, wrote to the Holy See as follows: "To put religion in our Diocese of Cincinnati on a firm footing, we perceive no other means than that it become a Dominican province; to be governed by the Sons of St. Dominic alone. That this might be effected successfully, the following seems to be required: 1. That the bishop be always chosen from the Dominican Order; 2. That some Fathers be chosen by the Holy See to assist him".¹ The Superior of the Dominican Province of St. Louis Bertrand proposed the union of the two Dominican provinces in Ohio into one province.² An agreement was finally reached and signed by the Cardinal Prefect of Propaganda, the Secretary, and the Vicar-General of the Dominican Order. This agreement was included in the papal Brief issued by Leo XII.

Summary: 1) The division of the Dominican Province of St. Joseph is abrogated; the Province of St. Louis Bertrand is there-

¹ *Prop. Arch., Amer. Centr.*, vol. IX, in Lamott, *History of the Archdiocese of Cincinnati*, 177.

² Cf. Lamott, *op. cit.*, 175-183.

fore, suppressed; 2) Edward Fenwick is appointed Commissary General of the Dominican Order during his life time; 3) If in future the Bishop of Cincinnati happens not to be a member of the Order, the Dominicans must pay him an annual revenue of three hundred dollars from their funds; 4) In future, whatever is given to the Dominican Fathers as such, shall belong exclusively to them, and whatever is given to the bishop or the cathedral shall belong to the bishop exclusively; 5) The cathedral at Cincinnati, with its appurtenances shall belong to the episcopal See; 6) The ornaments and sacred furnishings, except those belonging to the Dominicans shall pertain to the cathedral.

Venerabili fratri Eduardo Episcopo Cincinnatiensi,
LEO PP. XII.

Venerabilis frater, salutem et apostolicam benedictionem.

§ 1. Quum, sicut nobis relatum est, quibusdam rebus, quae regularem provinciam Sancti Iosephi in America Septentrionali Ordinis Praedicatorum et istam dioecesim Cincinnatiensem respiciunt, provide stabiliterque prospiciendum sit, nos in re tanti momenti sententiam Congregationis venerabilium fratrum nostrorum Sanctae Romanae Ecclesiae Cardinalium negotiis Propagandae Fidei praepositorum, et dilecti filii Iosephi Mariae Velzi Vicarii generalis eiusdem Ordinis praedicti prius exquirere curavimus. Perpensis proinde utriusque rationibus per dilectum filium nostrum Maurum Sanctae Romanae Ecclesiae presbyterum Cardinalem Cappellari nuncupatum Congregationis Propagandae Fidei generalem praefectum, et per secretarium eiusdem Congregationis, nec non per dilectum filium Iosephum Velzi Ordinis Praedicatorum Vicarium generalem, ea nobis proposita sunt approbanda, quae ad spirituale bonum constantemque provinciae et dioecesis praedictarum felicitatem conducere videntur, tenoris ut sequitur:³

Ratio componendi nonnulla negotia spectantia ad provinciam Ordinis PP. Praedicatorum S. Iosephi, et ad dioecesim Cincinnatiensem in America Septentrionali, quae Supremae Sanctitatis Suae approbationi proponitur.

Eñus Dñus Card. Capellari S. C. de Propaganda Fide Praefectus, Archiepiscopus Iconien. eiusdem Sacrae Congregationis Secretarius, et Rñus P. M. Velzi Ordinis Praedicatorum Vicarius Generalis simul collecti die XVIII. mensis aprilis a. MDCCCXXVIII. in aedibus memorati Eñi, post debitam rei discussionem de sequentibus articulis convenerunt.

1. Conservabitur pristina integritas et unitas provinciae S. Iosephi,

³ This is the Latin translation of the agreement taken from *Reg. Brevium*, vol. IV, 6 f. De Martinis, IV, 694, note.

abrogata eiusdem divisione, quae nonnullis ab hinc annis decreta fuerat, atque idcirco abrogata partitione eiusdem in duas provincias S. Iosephi et S. Ludovici Bertrandi appellatas.

II. Cum appareat in praesentibus rerum adiunctis, utile in primis esse R. P. D. Eduardum Fenwick ex Ordine Praedicatorum et Episcopum Cincinnatiensem in se ipso dignitatem episcopalem cum commissarii generalis Ordinis sui munere in conservata provincia S. Iosephi coniunctam habere, Rm̃us P. Velzi eidem Episcopo conferet memoratum commissarii generalis munus ab eo retinendum vita sua naturali durante cum facultatibus illi muneri inhaerentibus, SS̃mo Domino Nostro supplicabitur, ut annuat expresse constitutionibus ordinis in iis omnibus derogare, in quibus huic dispositioni contrariae esse possunt.

III. Ex fundis quos nunc possidet ordo PP. Praedicatorum in memorata provincia S. Iosephi, constituetur auctoritate apostolica pensio annua tercentum scutatorum Americanorum (dollars) Episcopo Cincinnatiensi solvenda, si ille ad Ordinem PP. Praedicatorum non pertineat.

IV. Quidquid in posterum PP. Dominicanis, quo talibus a piis benefactoribus vel ab aliis dabitur aut relinquetur sive in fundis immobilibus, sive in rebus mobilibus, exclusive ad eosdem spectabit, quemadmodum etiam exclusive ad Episcopum pertinebit quidquid vel a piis benefactoribus, vel ab aliis eidem aut cathedrali, dabitur aut relinquetur.

V. Ecclesia cathedralis Cincinnatiensis, cum locis et domibus adnexis, remanent in plena sedis episcopalis proprietate.

VI. Ornamenta vero, et sacra suppellex quae nunc existunt, exceptis iis, quae praecise sunt PP. Praedicatorum, ad ecclesiam cathedralem pertinebunt.

D. Maurus Card. Cappellari Praefectus — Petrus Caprano Archiepiscopus Iconien. S. C. Secretarius — Fr. Iosephus M. Velzi Vicarius generalis Ordinis PP. Praedicatorum — Die xx. aprilis MDCCCXXVIII. Approbatur et de re expediatur breve apostolicum — Leo PP. XII. —

Fidem facimus ac testamur latinum hoc documentum veram diligentissimamque continere versionem ex italico idiomate expositionis eorum quae decreta sunt ad componenda nonnulla negotia spectantia ad provinciam S. Iosephi Ordinis PP. Praedicatorum et dioecesim Cincinnatiensem in America Septemtrionali, quae exposito a SS̃mo Domino Nostro PP. Leone XII. confirmata refertur tota italice secundum suum originale in literis apostolicis a Sanetitate Sua expeditis in forma brevis die II. maii MDCCCXXVIII. ad R. P. D. Eduardum Fenwick Episcopum Cincinnatiensem.

Datum Romae die xv. maii MDCCCXXVIII.

D. Maurus Card. Cappellari Praefectus.
Petrus Caprano Archiepiscopus Iconien.
Secretarius Sacrae Congregationis.
Fr. Ioseph M. Velzi Vicarius generalis
Ordinis Praedicatorum.

LEO PP. XII.

§ 2. Ut autem praeinserta et inter Congregationem praedictam et Vicarium generalem memorati Ordinis constabilita et per nos approbata feliciter perficiantur ac firmiter in posterum extent accurateque observentur, apostolicis his nostris literis ea roborare, tibiue patefacere decrevimus. Nos itaque, te ac singulares personas quibus praesentes literae favent, speciali beneficentia prosequi volentes, et a quibusvis excommunicationis, suspensionis et interdicti, aliisque ecclesiasticis censuris, sententiis ac poenis quovis modo et quacumque de causa latis, si quas forte incurserint, huius tantum rei gratia absolventes et absolutos fore censentes, motu proprio atque ex certa scientia et matura deliberatione nostris, deque apostolicae potestatis plenitudine omnia et singula, quae in praedictarum rerum serie per memoratos Praefectum et Secretarium Congregationis de Propaganda Fide, et Vicarium generalem Ordinis Praedicatorum sat egregie gestarum superius hic enarrata continentur, auctoritate apostolica tenore praesentium denuo confirmamus, rataque et valida habemus ac declaramus, illisque apostolicae firmitatis robur adiicimus, ac omnes et singulos sive iuris sive facti defectus, si quos desuper quomodolibet intervenisse contigerit, plenarie sanamus atque supplemus, ac constitutionibus Ordinis Praedicatorum et provinciae praedictae, quae huic dispositioni nostrae adversari possunt, expresse derogamus. Tibique, venerabilis frater, per praesentes iniungimus, ut omnia per nos approbata fideliter serves atque adimpleas, ac ab omnibus ad quos spectat, servari et adimpleri facias et cures.

§ 3. Decernentes has praesentes literas firmas, validas et efficaces existere ac fore, suosque plenarios et integros effectus sortiri et obtinere, ac iis ad quos pertinet, ac in futurum spectabit, in omnibus et per omnia plenissime suffragari, et ab eis respective inviolabiliter observari: sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii nostri apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.

§ 4. Non obstantibus praemissis, ac constitutionibus et ordinationibus apostolicis, nec non dictae dioecesis etiam iuramento, confirmatione apostolica vel quavis firmitate alia roboratis statutis et consuetudinibus, caeterisque contrariis quibuscumque.

Datum Romae apud S. Petrum sub annulo Piscatoris die II. maii MDCCCXXVIII., pontificatus nostri anno V.

Source: De Martinis, IV, 694-696.

No. 48.

LEO XII TO ROSATI

AUGUST 16, 1828

The evils growing out of the trustee system were taking on a dangerous form in New Orleans when Rosati was appointed Bishop of that See in 1826.¹ In a report to Propaganda, dated March 31, 1828, Rosati explained the situation in the diocese: the temporalities of the parish were administered by lay trustees elected by the parishioners and their actions are held valid before the law. A majority of the trustees of the church in New Orleans with the approval of a number of the parishioners petitioned the Legislature of the State and the United States Senate for the privilege of refusing to accept any pastor in whose election they (the trustees) or the whole people had no part. The trustees argued that in a Republic, the people should be invested with the *ius patronatus* enjoyed by kings and princes in monarchies. The Holy See's answer is a scathing denunciation of the principles upheld by the trustees of New Orleans and the pontiff refers pointedly to the sad state of affairs in Philadelphia.

Summary: According to Rosati's communications to the Holy See, the trustees of New Orleans have appealed to the United States Senate to uphold them in rejecting pastors whom the bishop has appointed without their previous consent and that of the parishioners. This is a usurpation of episcopal rights and against the discipline of the Church. The pope recalls the trouble arising from trusteeism in Philadelphia and the recalcitrant attitude of the trustees towards the Holy See and their bishop, whose weakness they exploited (*nimiaque Episcopi sui facilitate abusi*) to such an extent that they assumed the right of appointing pastors. The agreement entered into between the bishop and the trustees was condemned by the Holy See and an Apostolic Letter sent to all the bishops of the United States. This Letter was read from the altar by the Bishop of Philadelphia and then printed.—What, then, shall we say of the trustees of New Orleans in their attempts to duplicate the crime of Philadelphia. Has Christ given His

¹ Cf. Rosati's appointment, Document 42 and 44.

Church to be ruled by trustees or by bishops?—By these Apostolic Letters, We condemn to the fullest extent the proposal and petition of the trustees of New Orleans. The pope is confident that the trustees will repent. If they remain obstinate, We are certain that the wise legislators of the Republic will turn a deaf ear to their petition. Rosati is counseled to overcome the refractory members of the diocese *in omni patientia et doctrina*.

Venerabili fratri Iosepho Episcopo S. Ludovici et Apostolico Ecclesiae Neo-Aurelianensi Administratori,

LEO PP. XII.

Venerabilis frater, salutem et apostolicam benedictionem.

Quo longius nostri et Ecclesiae catholicae filii a nobis absunt, eo paternus nostrae erga eos caritatis affectus intentior fit, et acrior, quam de aeternâ ipsorum salute gerimus, cura.

§ 1. Quare nos vehementer sollicitos reddiderunt fraternitatis tuae literae,² quibus nunciasti paroeciae Neo-Aurelianensis aedituos a supremo foederatarum Americae Septentrionalis provinciarum Senatu facultatem petivisse reiiciendi parochos, quos sine praevio eorumdem aedituorum et populi consensu Episcopus elegeret, quod idem est ac episcopalia iura sibi usurpare velle, et vigentem ubique terrarum Ecclesiae catholicae disciplinam ab imo turbare. Huius, ut nosti, temeritatis notam sibi haud ita pridem inusserant Cathedralis ecclesiae Philadelphiensis aeditui, quos tamen fel. rec. praedecessor noster Pius VII., datis ad Archiepiscopum Baltimorem literis, graviter increpavit, et ad bonam frugem, ut cito se reciperent, serio admonuit. Nihilo tamen minus aeditui Philadelphenses, neglectâ summi Pastoris voce, nimiâque Episcopi sui facilitate abusi, schismaticum, quod ingressi fuerant, iter insistere perrexerunt, eoque progressi sunt, ut conventionem cum Episcopo iniverint, eumque ad admittendam declarationem induxerint, qua multiplex Episcoporum auctoritati vulnus infligitur, et parochorum electio aedituorum quodammodo propria enunciatur. Quod ubi nostra de Propagandâ Fide Congregatio, ad ministerium suum incessanter exeubans, rescivit, cum Episcopo Philadelphensi, quod minus considerate egisset, plurimum questa est, et conventionem declarationemque, de quibus agitur, omnino improbandam esse cunctis suffragiis iudicavit, cui nos iudicio apostolicae auctoritatis nostrae robur illico addidimus. Quae autem literae nostro tunc nomine ad eundem et reliquos Americae Septentrionalis Episcopis scriptae fuerunt, iudicio a nobis confirmati

² The letter is Rosati's *Report* on a visitation of the Diocese of New Orleans made in 1827-1828. The original is in the *Archives of the Chancery of the Archdiocese of St. Louis* and is printed in Souvay's article "Episcopal Visitation of the Diocese of New Orleans" in the *St. Louis CHR*, I, 229-230.

nunciae, catholicorum animos intime penetrarunt: eas Episcopus ipse Philadelphiensis coram populo ex altari legit, et in omnibus dioecesis suae paroeiis legi iussit. Publicis demum typis editae vulgo innotuerunt, et ex eo tempore conventio Philadelphiensis, ac si nunquam inita fuisset, habita est.

§ 2. Quae cum ita sint, quid de Neo-Aurelianensis Ecclesiae aedituis dicemus, qui audax Philadelphensium facinus renovare student, quique apostolico iudicio nostro ipsis haud certe ignoto praeefracte obnituntur? Aedituisne an Episcopis Ecclesiam suam Christus regendam dedit? Oves ne Pastori praeerunt, non Pastor ovibus? Nonne qui episcopalia iura extenuare, et universalem Ecclesiae disciplinam convellere moluntur, plane digni sunt, in quos canonicis poenis districte animadvertatur? Sed quanto aedituorum Neo-Aurelianensium pertinacia cor nostrum sauciavit, tanto nobis solamini est tua, ven. frater, agendi ratio, qui omni ope omnique diligentia abnormes illorum conatus praecavere aut refundere adnisis es.

§ 3. Quoniam vero ad dubia a mentibus, ut scribis, imperitorum evellenda, optas, ven. frater, ut apostolicam auctoritatem nostram interponere et excitatas istae turbas compescere ac sedare velimus; nos morem tuis votis libentissime gerentes, propositum et petitionem aedituorum Neo-Aurelianensium apostolicis hisce literis plane altissimeque improbamus, et improbanda omnino esse decernimus. Postquam vero nostros huiusmodi sensus aedituis Neo-Aurelianensibus manifestaveris, confidimus eos facti sui poenitentes ad officium redituros, et suam resipiscentiam tantam nobis allaturos esse laetitiam, quantum aberrando moerorem attulerunt.

§ 4. Si autem obstinato, quod absit, animo dictis nostris non obtemperaverint, persuasum habemus, ne sapientes quidem istarum rerum publicarum legislatores, qui Religionis etiam catholicae cultum sartum tectum tueri debent ac volunt, petitioni aedituorum Neo-Aurelianensium esse auscultaturos. Interim, ven. frater, quos pateris in ista dioecesi refractarios argue, increpa, obsecra in omni patientia et doctrina, Ecclesiae catholicae undique vexatae pacem ac tranquillitatem precare, gregem a noxiis pascuis retrahe, lupos arce, nostrique memor in tuis precibus esto. Quae omnia ut ferventius alacriusque facias, apostolicam tibi gregique tuo benedictionem peramanter impertimur.

Datum Romae, apud S. Petrum sub annulo Piscatoris, die xvi. aug. MDCCCXXVIII., pontificatus nostri anno v.

Sources: De Martinis, IV, 705-706; *BCPF*, V, 42-43; *Records*, IX, 29-31. Translated in *Records*, IX, 31-34.

PART IV
PONTIFICATE OF PIUS VIII
(March 31, 1829–November 30, 1830)

PIUS VIII

MAY 15, 1829

When Bishop Portier in 1826, took possession of the newly-erected Vicariate-Apostolic of Alabama and Florida he found that his clergy consisted of two priests, one at Mobile and the other at Pensacola. A year later he learned that both priests had returned to New Orleans and that, consequently, the care of his entire vicariate devolved upon himself alone. The Sacred Congregation had written to Portier on December 9, 1826, informing him that he was free to choose his episcopal See and that, if he would give an estimate of the amount needed for his support, Propaganda would be willing to assist him.¹ In a *Relatio* which the bishop sent to Propaganda on the condition of the Church in his vicariate, Portier requested that Alabama and Florida be raised to a diocese with the episcopal See at Mobile. Pius VIII acceded to this request and by the following brief founded the Diocese of Mobile.

Summary: Pius VII, on August 26, 1825, had erected Alabama and Florida into a vicariate-apostolic as a provisional measure. Michael Portier, Vicar-Apostolic of the said regions, has given an accurate description of conditions existing in Alabama and Florida, whence it is easy to deduce what things are necessary and opportune for the promotion of the good of religion in those parts. Therefore, the territories of Alabama and Florida are hereby erected into a separate diocese. Mobile, Alabama, shall be the episcopal See, which, for the time being, shall be subject to the Metropolitan See of Baltimore.

PIUS PP. VIII.

ad futuram rei memoriam.

§ 1. Inter multiplices gravissimasque apostolatus nostri curas non exiguam ea tenet partem, quae dioecesium per universum orbem distributarum respicit statum: siquidem supremæ potestatis iudicii que nostri est novos earum limites constituere, vel constitutos immutare, prout, habita temporum ac circumstantiarum ratione, fidelium utilitati conducere dignoscimus.

§ 2. Quum per apostolicas literas fel. rec. Leonis PP. XII. decessoris nostri die xxvi. augusti mdcccxxv. datas Alabamae et Floridarum status

¹ *Prop. Arch., Lettere*, vol. 307, f. 793.

in septentrionalis Americae provinciis Vicariatum Apostolicum constituere decretum sit, donec rebus mature perpensis iidem status in unam peculiarem dioecesim definitive erigerentur; quumque venerabilis frater Michael Portier Episcopus Olensis in partibus infidelium, cui vicariatus ille apostolicus per memoratas decessoris literas gerendus commissus est, Romam veniens² accuratam illorum statuum descriptionem et veram ad religionem in iis pertinentium expositionem exhibuerit, ex qua notitia plena eorum, quae ad religionis bonum ibi promovendum opportuna, ac necessaria sunt hauriri facile posset. Nos, de venerabilium fratrum nostrorum S. R. E. Cardinalium negociis Propagandae Fidei praepositorum consilio, eosdem status in veram et proprie dictam dioecesim, cuius limites sint statuum ipsorum limites, cuiusque sedes esse debeat civitas Mobiliae in statu Alabamae, quae denique quod ad ius metropoliticum subiecta esse debeat Archiepiscopo pro tempore Baltimorensi decrevimus.

§ 3. Nos itaque ad Dei omnipotentis gloriam, fideliumque spiritualem utilitatem, motu-proprio, et ex certa scientia maturaque deliberatione nostra, deque apostolicae potestatis plenitudine, vi praesentium litterarum apostolicarum, status Alabamae et Floridarum in septentrionalis Americae provinciis in veram et proprie dictam dioecesim, cuius limites sint statuum ipsorum fines, cuiusque sedes esse debeat civitas Mobiliae in statu Alabamae, quae denique quod ad ius metropoliticum subiecta esse debeat Archiepiscopo pro tempore Baltimorensi, erigimus et dioecesi sic per nos erectae iura consueta attribuimus. Mandantes propeterea omnibus et singulis ad quos spectat ac in futurum spectabit, ut praedictis dispositionibus nostris se subiiciant, illasque accurate exequi teneantur.

§ 4. Decernentes has praesentes literas semper firmas, validas et efficaces existere ac fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis ad quos spectat, et pro tempore quandocumque spectabit, in omnibus et per omnia plenissime suffragari, et ab eis respective inviolabiliter observari; sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii nostri apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.

§ 5. Non obstantibus apostolicis, ac in universalibus provincialibusque et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, caeterisque contrariis quibuscumque.

Datum Romae, apud S. Petrum sub annulo Piscatoris, die xv. maii MDCCCXXXIX., pontificatus nostri anno I.

Sources: De Martinis, IV, 711; *BCPF*, V, 46-47; Hernaez, II, 789.

² Portier left for Europe in April 1828. In the *Prop. Arch., Atti*, for April 27, 1829, there is a long historical account of the Church in Alabama and Florida. Guilday, *Life and Times of John England*, I, 588-590.

No. 50.

PIUS VIII TO DE NECKERE

AUGUST 4, 1829

The administration of two dioceses, New Orleans and St. Louis, was too heavy a burden for Rosati and he used all the means at his command to secure a bishop for New Orleans. Rosati had proposed Leo De Neckere as his coadjutor in 1827¹ but the Sacred Congregation decided to appoint him Bishop of the lower diocese.

Summary: Joseph Rosati, Bishop of St. Louis, has written to the Holy See that it is too difficult for him to rule both Dioceses of St. Louis and New Orleans, and that the good of religion would be better served if the latter diocese had its own bishop. Therefore, De Neckere is hereby appointed to the See of New Orleans and all faculties of the Administrator (Rosati) are revoked.

*Dilecto filio presbytero Leoni de Nekere Belgae,*²

PIUS PP. VIII.

Dilecte fili, salutem et apostolicam benedictionem.

Apostolatus officium, meritis licet imparibus, nobis ex alto commissum, quo ecclesiarum omnium regimini divina dispositione praesidemus, utiliter exequi, adiuvante Domino, cupientes, solliciti corde reddimus et solertes, ut, cum de Ecclesiarum ipsarum regiminibus agitur commitendis, tales eis in Pastores praeficere studeamus, qui populum suae curae creditum sciant non solum doctrina verbi, sed etiam exemplo boni operis informare, commissasque sibi ecclesias in statu pacifico et tranquillo velint et valeant, auctore Domino, salubriter regere et gubernare feliciter. Dudum siquidem provisiones Ecclesiarum omnium nunc vacantium et in posterum vacaturarum ordinationi et provisioni nostrae

¹ This information is contained in a letter of Du Bourg to Propaganda, May 1, 1827, in *St. Louis CHR*, III, 219-220.

² Leo De Neckere was born at Wevelghem, Flanders, on June 6, 1800. He was received by Du Bourg for the Mission of Louisiana, studied theology in Kentucky under Rosati and later went to the "Barrens" with him. He became a member of the Congregation of the Mission on June 9, 1820, and was ordained to the priesthood two years later. When he received the news of his appointment to the See of New Orleans he at first refused to be consecrated but finally consented. His consecration took place at New Orleans on May 24, 1830. He died on September 4, 1833 in New Orleans. Cf. O'Donnell, *Catholic Hierarchy of the United States* (Washington, 1922), 51; Rothensteiner, *op. cit.*, *passim*. Shea III, 666-671.

reservavimus, decernentes irritum et inane, si secus super his a quocumque auctoritate scienter vel ignoranter contigerit attentari.

Quum ven. frater Ioseph Rosati Episcopus S. Ludovici in statu Missouriano in Americâ Septentrionali et Administrator apostolicâ auctoritate deputatus Novae Aureliae, nobis exposuerit, sibi valde difficile esse utriusque diaecesis curam diutius regere, quumque ostenderit ad Religionis incrementum in diaecesi Novae Aureliae procurandum, in primis opportunum esse, proprium illius diaecesis Episcopum eligere, qui ibi residens et alterius diaecesis negotiis non distractus, commodius atque utilius ecclesiam illam gubernare possit, nos de ven. fratrum nostrorum S. R. E. Card. negotiis Propagandae Fidei praepositorum consilio Episcopum Novae Aureliae eligere et instituere statuimus, ad te, dilecte fili, oculos mentis nostrae dirigentes, de cuius pietate, doctrina, prudentiâ, morum integritate, ac Religionis amplificandae studio, nec non de legitimâ aetate et origine praeclara accepimus testimonia; quibus omnibus mature perpensis, te a quibusvis excommunicationis, suspensionis et interdicti, aliisque ecclesiasticis censuris, sententiis ac poenis quovis modo et quacumque de causa latis, si quas forte incurreris, huius tantum rei gratia absolventes et absolutum fore censentes, eandem episcopalem ecclesiam Novae Aureliae, revocatâ quacumque facultate memorato Administratori alias concessâ, de personâ tuâ nobis et praedictis Cardinalibus ob tuorum exigentiam meritorum acceptâ, de eorumdem fratrum consilio auctoritate apostolicâ tenore praesentium providemus, teque illi in Episcopum praeficimus et pastorem etc.

Non obstantibus constitutionibus et ordinationibus apostolicis, caeterisque contrariis quibuscumque.

Datum Romae, apud S. Mariam Maiorem, sub annulo Piscatoris, die iv. augusti MDCCCXXIX., pontificatus nostri anno i.

Sources: De Martinis, IV, 720-721; *BCPF*, V, 47-48; Hernaez, II, 790.

No. 51.

PROPAGANDA TO WHITFIELD

OCTOBER 16, 1830

With the year 1829, the Church in the United States entered upon perhaps the most important period of her history—the period of the Councils. Up until that time, the Bishops of the ten American Dioceses (excluding Richmond) had to cope alone with problems that were national in scope. These Councils of Baltimore were instrumental in uniting the prelates of the nation into one assembly where the problems common to all were thoroughly discussed, remedies proposed, and uniformity in discipline established,

and the Holy See furnished with definite information concerning the needs of the Church in the United States.

Bishop Carroll held a national synod on October 27, 1791, and in 1810 called a meeting of the newly-consecrated Bishops of Boston (Cheverus), Philadelphia (Egan), and Bardstown (Flaget),¹ in which the ordinances of 1791 were more clearly enacted.² At the meeting of 1810, the bishops decided to hold a Provincial Council in 1812, but the War hindered the convening of the Council. During the years that followed untiring efforts were made to induce the Archbishop of Baltimore to convene the Council but Maréchal (died, January 29, 1828) was opposed to it. His successor James Whitfield was likewise opposed to the Council but finally wrote to his suffragans convoking the First Provincial Council for October 1, 1829. The Council closed on October 18 and on October 24, the bishops wrote to Pius VIII congratulating him on his accession to the See of St. Peter and in a second letter, written the same day, petitioned the Holy See for the privilege of using the simpler form in baptizing adults, of blessing baptismal water by the short formula and of prolonging the Paschal season from the first Sunday in Lent to Trinity Sunday. These privileges were granted in an audience with Pius VIII on September 26, 1830. The decrees of the Council were confirmed on June 28, 1830, and the following letter of approbation sent to Archbishop Whitfield.

Summary: It is a most pleasant task to announce to your Grace and through you to the other Bishops of North America that the Conciliar decrees of 1829 have been examined and approved not only by this Sacred Congregation but also by the Supreme Pontiff, Pius VIII. Attached to this letter you will find the Decree of Approbation, and a letter of Instructions. The faculties for which you petitioned the Holy See have been granted by His Holiness.

We take this occasion to congratulate your Grace and the other Bishops of the United States in the name of the Sacred Congregation and His Holiness on your zeal for religion and love of discipline of which the Conciliar decrees are a testimony.

¹ Bishop Neale, Carroll's Coadjutor, was present.

² The *Statutes* of 1791, and the *Articles of Discipline* of 1810 are given in the *CBH*, 11-28.

EPISTOLA

*S. Congregationis de Propaganda fide ad Archiepiscopum
Baltimoremsem.*

Ill̃me ac Reṽme Domine,

Gratissimum mihi est nuntiare Amplitudini Tuæ, ac per te ceteris Americæ Septentrionalis Episcopis, universum Decretorum Synodi Provincialis Baltimorensis, mense Octobri anno 1829 habitæ, examinationis negotium feliciter absolutum esse. Non modò enim S. Congregatio, sed et ipse SS̃mus Dñus Pius PP. VIII ea decreta probavit, iisque Apostolicæ auctoritatis robur adjecit, prout ex Decreto his litteris adjecto Amplitudo Tua intelliget. Nonnulla quidem tum S. Congregatio, tum SS̃mus Dñus Noster Amplitudini Tuæ præ oculis ponenda esse existavit, quæ demonstrant quibus in locis memorata Decreta immutationem aliquam mereantur. Hæc Amplitudini Tuæ insinuantur in Instructione,³ quæ etiam his litteris adjicitur. Persuasum est S. Congregationi, ac Sanctitati Suæ, Amplitudinem Tuam libenti animo excepturam esse quæ in memoratâ Instructione explicantur, ac curaturam ut Decreta eâ ratione immutata in lucem edantur. Facultates etiam quæ in supplici libello Amplitudinis Tuæ, et ceterorum Episcoporum qui Synodo inter fuerunt nomine ad SS̃mum Dñum Nostrum die 24 Octobris transmissio petebantur, Sanctitas Sua benignè concessit, quemadmodum ex tribus aliis Decretis comperies, quæ item his litteris adjiuntur.⁴

Restat nunc, ut susceptâ hac occasione, Amplitudini Tuæ, et ceteris istarum Diocesum Episcopis, S. Congregationis et SS̃mi Dñi Nostri nomine, gratuler ob eximium illud studium Religionis amplificandæ quo præstatis, ac ob singularem disciplinæ Ecclesiasticæ custodiendæ amorem, cujus adeò perspicuum testimonium decreta ipsa Synodi Baltimorensis præ se ferunt. Pollicetur verò vobis S. Congregatio et Sanctitas Sua, vobis consilio et auctoritate suâ adfuturam omni in re quæ vobis utilis, et Religionis incremento opportuna esse poterit.

Precor Deum interea ut Amplitudinem Tuam diu sospitem ac felicem servet.⁵

Romæ ex Ædibus Sacræ Congregationis de Propagandâ fide, die 16 Octobris 1830.

Source: *CBH*, 60-61.

³ The Letter of Instruction is given in *CBH*, 63-71.

⁴ The three decrees of Propaganda sanctioned the use of the short formula in baptizing adults, and also the short form in blessing baptismal water, and prolonged the Paschal season. *Ibid.*, 89-92.

⁵ The *Acta et Decreta* of the Council will be found *ibid.*, 33-98; *Coll. Lac.*, III, 11-35.

PART V
PONTIFICATE OF GREGORY XVI
(February 2, 1831–June 1, 1846)

GREGORY XVI

SEPTEMBER 9, 1831

Bishop Conwell returned to the United States in the fall of 1829.¹ It seems that he left Rome without permission and was deprived of his faculties. At any rate, he refrained from exercising episcopal authority until Rome would restore him. Rome did restore him to his See but at the same time appointed Francis Patrick Kenrick as his Coadjutor on March 13, 1830. Kenrick was exclusively invested by the Holy See with episcopal jurisdiction in the diocese. Conwell was Bishop of Philadelphia only in name. He was old and worn out by the preceeding ten years' struggle and had become somewhat childish. When he took part with the trustees of St. Mary's in their dispute with Kenrick, the Holy See evidently thought it best to come out openly and declare that Conwell possessed no jurisdiction in the Philadelphia Diocese.²

Summary: Pius VIII had appointed F. P. Kenrick coadjutor with right of succession to Henry Conwell, Bishop of Philadelphia. For very grave reasons, the same Pontiff confirmed a decree of Propaganda depriving Bishop Conwell of all episcopal jurisdiction in the Diocese of Philadelphia and conferring it upon Bishop Kenrick. This is not observed according to the testimony of many. Wherefore, Gregory XVI hereby notifies all the faithful in the Diocese of Philadelphia that Bishop Conwell no longer exercises episcopal jurisdiction; this jurisdiction belongs entirely to Bishop Kenrick, to whom it had been given. The clergy, both secular and regular, and the people are commanded to receive Bishop Kenrick and obey him under pain of punishment reserved for those who are disobedient and stubborn.

GREGORIUS PP. XVI.

ad futuram rei memoriam.

§ 1. Summi consilii Pontifex Pius VIII. praedecessor noster quum venerabilem fratrem Franciscum Patritium Kenrick Episcopum Ara-

¹ Cf. Document 37, 2.

² Cf. Griffin, "Life of Bishop Conwell", in *Records*, XXIX, 171 ff.

thensem³ in partibus infidelium instituit, et coadiutorem cum iure successionis venerabilis fratris Henrici Comvell istius Philadelphiensis ecclesiae Episcopi deputavit, gravissimis causis adductus, de consilio venerabilium fratrum nostrorum Sanctae Romanae Ecclesiae Cardinalium negotiis Propagandae Fidei praepositorum, confirmavit decretum iam ante a se editum, quo idem Episcopus Comvell omni iurisdictione episcopali in illam dioecesim destitutus intelligi deberet, et praeterea eam omnem iurisdictionem ipsi Episcopo Kenrick eius coadiutori conferre statuit. Cum vero pluribus acceptis testimoniis locupletibus luculentisque constet per istam dioecesim hoc exploratum generatim non esse, tranquillitati idcirco atque ordini in eius regimine aliaque ratione prospiciendi necessitam perspeximus. Quapropter de consilio eorundem venerabilium fratrum nostrorum Sanctae Romanae Ecclesiae Cardinalium singulis christifidelibus totius Philadelphiensis dioecesis notum manifestumque facimus commemoratum Episcopum Comvell, vi decreti ab ipso praedecessore nostro confirmati, ab omni iurisdictionis episcopalis exercitio cessasse, et nunquam ab hac Apostolica Sede in eo fuisse institutum, sed eam omnem iurisdictionem in venerabili fratre Francisco Patritio Kenrick, cui iam fuerat collata, omnino contineri.

§ 2. Interea vero dum hoc declaramus et patefacimus, auctoritate nostra utrique clero, et populo universo, dioecesis Philadelphiensis mandamus, ut Episcopum Kenrick huiusmodi potestate insignitum recipiant et admittant, eique plenam obedientiam et reverentiam exhibeant, alioquin sententiam quam rite tulerit, quamque statuerit poenam adversus inobedientes et contumaces, ratam habebimus, et faciemus auctore Domino usque ad satisfactionem condignam inviolabiliter observari.

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris, die ix. septembris MDCCCXXXI., pontificatus nostri an. I.

Sources: De Martinis, V, 19-20; *BCPF*, V, 66-67.

³ Francis Patrick Kenrick was born in Dublin, Ireland, on December 3, 1796. He was ordained in Rome in 1821 and shortly afterwards came to Kentucky, where he taught theology in the seminary at Bardstown. He was consecrated titular Bishop of Arath on June 6, 1830, and was transferred to the See of Baltimore on August 3, 1851. He died in Baltimore on July 8, 1863. Clarke, *Lives of Deceased Bishops*; Griffin, *loco cit.*, *passim*; O'Shea, *The Two Kenricks* (Philadelphia, 1904).

No. 53.

GREGORY XVI

MARCH 8, 1833

As stated before, the Brief of March 20, 1827, erecting the See of Detroit, never left Rome. Bishop Fenwick, however, did not give up hope of being relieved of the burden of the Northwest, and in August, 1832 again petitioned the Holy See to establish the Diocese of Detroit. The petition was successful, and the creation of the new diocese was decided upon at a general session of the Sacred Congregation, February 25, 1833.¹

Summary: From the testimony of the American episcopate and others, it is deemed most opportune for the spread of religion that the Provinces of Michigan and the Northwest, hitherto governed by the Bishop of Cincinnati, be erected into a separate diocese, with the episcopal See at Detroit. Having in mind, therefore, the spiritual benefit which will accrue to the faithful in those regions and following the counsel of the Congregation de Propaganda Fide, Gregory XVI erects Michigan and the the Northwest into a separate diocese suffragan to the Metropolitan See of Baltimore. The episcopal See shall be situated at Detroit.

GREGORIUS PP. XVI.

ad perpetuam rei memoriam.

§ 1. Maximas inter gravissimasque curas ac sollicitudines, quibus in universa Ecclesia nobis divinitus concredita regenda ac moderanda continenter distinemur et angimur, illa profecto in primis nostrum animum solet urgere, quae dioecesium omnium per totum terrarum orbem respicit statum. Supremae enim nostrae potestatis nostrique iudicii est illas moderari, earumque limites constituere vel immutare, prout rerum ac temporum ratio et spirituale praesertim christifidelium bonum ac commodum postulare videntur.

§ 2. Quum itaque ex acceptis plurium venerabilium fratrum Americae Septemtrionalis Episcoporum aliorumque gravissimis testimoniis acceperimus opportunissimum esse ad religionem Catholicam in provinciis Michigan et Nord-West Americae Septemtrionalis amplificandam confirmandamque, ex iisdem provinciis, quibus hactenus Episcopus Cincinnatiensis veluti administrator apostolicus praefuit, peculiarem propriamque dioecesim erigere et constituere, cuius sedes sit in civitate

¹ Lamott, *op. cit.*, 104.

Detroit, nos rem tanti momenti Congregationi venerabilium fratrum nostrorum negociis Propagandae Fidei praepositorum examinandam commisimus.

§ 3. Rebus itaque omnibus maturo examine perpensis, et habita praesertim ratione spiritualis boni, quod in populos earum regionum redundat, de eorumdem fratrum sententia atque consilio, eiusdem dioecesis et episcopatus erectionem perutilem esse cognovimus. Motu igitur proprio, ex certa scientia, deque apostolicae nostrae potestatis plenitudine, provincias Michigan et Nord-West, quae haecenus Episcopo Cincinnatiensi uti administratori apostolico subiectae fuere, in peculiarem episcopatum, qui caeteroquin quoad ius metropolitico subiectus esse debeat Archiepiscopo pro tempore Baltimorensi, eiusque episcopalis sedes sit in civitate Detroit, ex qua derivetur episcopatus eiusdem titulus, et qui comprehendat in dioecesi sua provincias Michigan et Nord-West, harum literarum vi erigimus atque statuimus.

§ 4. Decernentes has literas firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, et omnia iuxta praemissa accurate adimpleri; sique in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii nostri apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.

§ 5. Non obstantibus constitutionibus, et ordinationibus apostolicis, caeterisque contrariis quibuscumque.

Datum Romae apud S. Petrum sub annulo Piscat. die VIII. martii MDCCCXXXIII., pontificatus nostri anno III.

Sources: De Martinis, V, 70-71; *BCPF*, 89 f.

No. 54.

GREGORY XVI TO RESE

MARCH 8, 1833

Accompanying the Brief establishing the See of Detroit was an apostolic letter to Frederick Résé, appointing him bishop of the newly-founded diocese.

Summary: The Diocese of Detroit has been erected by a letter similar to this present Brief. We hasten, therefore, to provide for this new church and after deliberating with the Cardinals of the Sacred Congregation concerning the proper person to be placed at the head of the diocese, We turned our eyes to you. You are

therefore, appointed Pastor of this new church *in spiritualibus et temporalibus*. Receive, therefore, the yoke of the Lord with prompt devotedness and strive so to govern your diocese that it may rejoice in having a prudent ruler. We grant you the grace to receive consecration from the hands of that bishop whom you shall choose; he shall be assisted by the two other bishops or, if these cannot be had, by two priests.

Dilecto Filio presbytero Friderico Resé,¹

GREGORIUS PP. XVI.

Dilecte fili, salutem et apostolicam benedictionem.

Apostolatus officium, meritis licet imparibus, nobis ex alto commissum, quo ecclesiarum omnium regimini divina dispositione praesidemus, utiliter exequi, adiuvante Domino, cupientes, sollicite corde reddimur et solertes, ut, cum de ecclesiarum ipsarum regiminibus agitur commitendis, tales eis in Pastores praeficere studeamus, qui populum suae curae creditum seiant non solum doctrina verbi, sed etiam exemplo boni operis informare, commissasque sibi ecclesias in statu pacifico et tranquillo velient et valeant, auctore Domino, salubriter regere et feliciter gubernare. Dudum siquidem provisionem ecclesiarum omnium nunc vacantium, quaeque in posterum vacaturae, ordinationi ac provisioni nostrae reservavimus, decernentes ex tunc irritum et inane, si secus super his a quoquam, quavis auctoritate, scienter vel ignoranter contigerit attentari. Quum igitur per alias nostras similes literas hoc ipso die datas, quarum tenores pro expressis haberi volumus, novus episco-

¹ Frederick Résé, the first Bishop of Detroit, was born in Hanover, Germany, February 6, 1791. In 1822, he was ordained to the priesthood and shortly after became Secretary to Bishop Fenwick of Cincinnati and then Vicar-General for the Northwest. He was consecrated by Bishop Rosati on October 6, 1833. Being of a quick and impulsive disposition he found himself involved in difficulties from the very beginning of his episcopate and complaints were soon entered against him. Feeling himself incapable of bearing the burden, he tendered a letter of resignation to the Fathers of the Third Provincial Council, on April 15, 1837. In 1840, Propaganda deprived him of all jurisdiction in the diocese, although he retained his title of Bishop of Detroit until his death in 1871. Cf. *CBH*, 128, 146, 187; *Shea III*, 630-637; *Rothensteiner, op. cit., passim*; *Guilday, John England, passim*; *Reuss, F. X., Biographical Cyclopaedia of the Catholic Hierarchy* (Milwaukee, 1898), 93-94. The papers of renunciation were signed before the American Consul, Greene, and the latter's letter on the subject is printed in Stock, L., "American Consuls to the Papal States", *CHR*, XV, 237 ff.

patus in America Septemtrionali ex provinciis Michigan et Nord-West fuerit erectus, qui diocesi suae praedictas provincias, quae haecenus Episcopo Cincinnatiensi veluti administratori apostolico fuere subiectae, comprehendat, et cuius sedes esse debeat in civitate Detroit, ex qua urbe episcopalis eius titulus proficiscitur, et qui caeteroquin quoad ius metropoliticum Archiepiscopo pro tempore Baltimoren. debeat esse immediate subiectus, nos ad huiusmodi novae episcopalis ecclesiae provisionem celerem atque felicem, in qua nemo praeter nos se potuit seu poterit intromittere, reservatione ac decreto obsistentibus supradictis, ne illa longae vacationis exponatur incommodis, paterno ac sollicito studio intendentes, post deliberationem, quam de praeficiendo eidem ecclesiae personam utilem ac fructuosam cum VV. FF. NN. S. R. E. Cardinalibus Propagandae Fidei praepositis habuimus diligentem, demum ad te qui ex legitimo matrimonio natus, et in aetate etiam legitima constitutus existis, cuius apud nos de morum integritate, doctrina, pietate, prudentia, rerum ad illas regiones pertinentium peritia, et in primis catholicae religionis propagandae studio fide digna accepimus testimonia, oculos mentis nostrae direximus: quibus omnibus maturo examine perpensis, ad eandem novam episcopalem ecclesiam ex provinciis Michigan et Nord-West, cuius episcopalis sedes esse debet in civitate Detroit, de persona tua nobis et memoratis Cardinalibus ob tuorum exigentiam meritorum accepta de eorumdem fratrum consilio, auctoritate apostolica providere volentes etc. Te a quibusvis excommunicationis, suspensionis et interdicti, aliisque ecclesiasticis censuris, sententiis et poenis, quovis modo et quacumque de causa latis, si quas forte incurristi, huius tantum rei gratia absolventes et absolutum fore censentes, illi ecclesiae in Episcopum praeficimus et Pastorem, curam, regimen et administrationem ipsius ecclesiae tibi in spiritualibus ac temporalibus plenarie committendo, in illo qui dat gratiam, et largitur dona confisi, quod, dirigente Domino actus tuos, praefata ecclesia per tuae circumspectionis industriam et studium utiliter ac prospere dirigatur et in spiritualibus ac temporalibus orthodoxa religio incrementa suscipiat. Iugum igitur Domini tuis impositum humeris prompta devotione complectens, curam et administrationem praefatas ita studeas fideliter prudenterque exercere, ut ecclesia praefata gaudeat se provido gubernatori et fructuoso administratori esse commissam, ac tu praeter aeternae retributionis praemium nostram quoque et Sedis Apostolicae uberius exinde consequi merearis benedictionem et gratiam. Caeterum ad ea quae in tuae cedere possunt commoditatis augmentum favorabiliter respicientes tibi ut a quocumque malueris catholico Antistite sanctae nostrae sedis gratiam et communionem habente, aditis et in hoc illi adsistentibus duobus aliis Episcopis, vel, quatenus hi reperiri nequeant, duobus eorum loco presbyteris saecularibus, vel cuiuscumque Ordinis, congregationis et instituti regularibus, similem praefatae huius sedis gratiam et communionem habentibus, munus consecrationis recipere libere et licite possis et valeas, atque eidem Antistiti, ut, receptis a te

prius catholicae fidei professione iuxta articulos pridem a S. Sede propositos, ac nostro et Romanae Ecclesiae nomine fidelitatis debitae iuramento, praefatum munus tibi auctoritate nostra impendere licite valeat, plenam harum literarum serie tribuimus facultatem. Volumus autem, eademque auctoritate praecipimus, ut nisi receptis a te per dictum Antistitem iuramento et professione fidei huiusmodi ipse Antistes consecrationis munus tibi impendere, tuque illud recipere praesumpseritis, idem Antistes a pontificalis officii exercito, ac tam ipse quam tu a regimine et administratione ecclesiarum vestrarum suspensi sitis eo ipso. Non obstantibus apostolicis ac in universalibus provincialibusque et Synodalibus Conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, caeterisque contrariis quibuscumque.

Datum Romae apud S. Petrum, sub annulo Piscatoris die VIII. martii MDCCCXXXIII., pontificatus nostri anno III.

Source: De Martinis, V, 70-71, note.

No. 55.

GREGORY XVI TO WHITFIELD AND SUFFRAGANS

APRIL 23, 1834

The Second Provincial Council of Baltimore convened on October 20, 1833, and closed on October 27, 1833.¹ The good that resulted from the Council can be seen from the different decrees issued by the Holy See on the advice of the bishops assembled in Baltimore. The Council petitioned the Holy See to suppress Richmond, but this petition was refused. All the other suggestions were received favourably, and Gregory XVI sent the following truly consoling letter to the Fathers of the Council.

Summary: We have received your letter together with the decrees of the Provincial Council. The Congregation de Propaganda Fide has answered them. You shall, at the same time, receive Our apostolic letter concerning certain matters about which you asked.

We wish by this letter to make known our deep attachment for you. You have wonderfully confirmed, through your Provincial Council, the zeal which you have for the honor of God and the

¹ CBH, 98-99.

salvation of souls and your singular devotion towards the Holy See. Continue, therefore, your good works. Watch over your part of the Lord's vineyard, referring all things to the glory of God. And, as for Us, be assured that Our authority and labors shall benefit you.

*Venerabilibus fratribus Iacobo Archiepiscopo Baltimorensi, et eius suffraganeis.*²

GREGORIUS PP. XVI.

Venerabiles fratres, salutem et apostolicam benedictionem.

Perlatae dudum ad nos fuerunt epistolae vestrae, una cum decretis concilii provincialis proximo anno a vobis celebrati, quae auctoritati nostrae apostolicae obsequentissimo, ut par erat, animo subiecistis. Haec omnia expensa nobis iubentibus sunt a nostra Propagandae Fidei Congregatione, quae opportunum vobis dabit circa illa responsum. Accipietis simul apostolicas nostras literas super nonnullis eorum, quae statuistis seu postulastis. Verum et voluimus nostrum erga vos studiosissimum animum hac item epistola declarare. Siquidem ex memorata synodo, atque ex iis, quae ad nos hac occasione scripsistis, mirifice confirmata est, quae de vestro pro Dei honore, animarumque salute spectatissimo zelo et singulari erga communem omnium ecclesiarum matrem ac magistram Romanam Sedem obsequio nobis iamdiu insita erat existimatio, eoque ipso auctam in nobis sensimus caritatem illam, qua fraternitates vestras effuse in Domino prosequeremur. Pergite itaque, ut facitis, venerabiles fratres; et quoniam iustorum semita crescit usque ad perfectam diem, urgete alacriori quotidie sedulitate saluberrimam talentorum negotiationem, quae est de animabus Christo lucrandis; vigilate super creditas vobis dominicae vineae partes, plantate, rigate in spe ac patientia; nihil quidem vestris tribuentes viribus, sed omnia ad eius gloriam referentes, qui operatur in vobis et velle et perficere pro bona voluntate. Ita de fructu pastoralis curae in multorum salutem amplificato gaudebitis, ac per bona opera vestram vocationem et electionem facientes, uberrimam accipietis in aeternitate mercedem. Ad nos quod attinet, persuasum habetote, venerabiles fratres, auctoritatem et studia nostra nunquam, quantum cum Domino poterimus, esse vobis defutura. Ac fraternitatibus vestris novam semper virtutem ex alto implorantes, pignus nostrae praeciquae benevo-

² The following suffragan bishops were present at the Council: John England (Charleston), Joseph Rosati (St. Louis), Benedict Fenwick (Boston), John Dubois (New York), Michael Portier (Mobile), Francis P. Kenrick (Coadjutor of Philadelphia), F. Rese (Detroit), J. B. Purcell (Cincinnati); Bishop David (Coadjutor of Bardstown), was given a definitive vote.

lentie apostolicam benedictionem, cum creditis etiam fidei vestrae ovibus communicandam, peramanter impertimur.³

Datum Romae apud S. Petrum sub annulo Piscat. die xxiii. aprilis 1834, pontificatus nostri anno iv.

Sources: De Martinis, V, 121; *BCPF*, V, 30-31.

No. 56.

GREGORY XVI

MAY 6, 1834

The first decree of the Second Provincial Council of Baltimore contained a petition for the erection of the Diocese of Vincennes. The new diocese was to embrace the territory of Eastern Illinois and Indiana.

Summary: Apostolic Bull of Gregory XVI.

By common consent, the American episcopate has deemed it opportune that an episcopal See should be erected in the State of Indiana; We therefore committed the matter to the Sacred Congregation upon whose judgment We have recognized the spiritual benefit that would follow upon the erection of this See.

Therefore, *motu proprio*, We erect in the State of Indiana a diocese whose episcopal See shall be at Vincennes. The limits of the diocese shall be the State of Indiana together with a part of Illinois; the rest of the State of Illinois shall be added to the Diocese of St. Louis.

GREGORIUS PP. XVI.

ad perpetuam rei memoriam.

§ 1. Maximas inter¹ gravissimasque curas ac sollicitudines, quibus in universa Ecclesia nobis divinitus concredita regenda ac moderanda

³ The *Acta et Decreta* of the Council together with the responses of the Holy See are printed in *CBH*, 95-120; *BCPF*, V, Appendix, 22-23; *Coll. Lac.*, III, 39-48.

¹ Simon G. Bruté was chosen as the first Bishop of Vincennes. He was born at Remur, France on March 20, 1779, ordained to the priesthood in 1808 and joined the Order of St. Sulpice. He was consecrated in St. Louis on October 28, 1834. He died at Vincennes on June 26, 1839. Herbert, *Life of Bishop Bruté* (London, 1870); Clarke, *Lives of Deceased Bishops*, II, 7-44.

continenter distinemur et angimur, illa profecto in primis nostrum animum solet urgere, quae dioecesium omnium per totum terrarum orbem respicit statum. Supremae enim nostrae pietatis, nostrique iudicii est illam constituere, earumque limites praefinire vel immutare, prout rerum ac temporum ratio, et spirituale praesertim christifidelium bonum et commodum, postulare videatur.

§ 2. Quum itaque ex communi venerabilium fratrum Americae septemtrionalis Episcoporum suffragio constiterit opportunum omnino esse ad religionem catholicam in statu vel provincia Indiana confirmandam atque amplificandam episcopatum erigere et constituere, cuius sedes sit Vincennopolis,² certis quibusdam limitibus circumscriptum; nos rem tanti momenti Congregationi venn. fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum examinandam commisimus. Rebus itaque omnibus maturo examine perpensis et habita praesertim ratione spiritualis boni, quod in populis earum regionum redundat, de eorumdem fratrum sententia atque consilio eiusdem dioecesis et episcopatus erectionem perutilem esse cognovimus.

§ 3. Moto igitur proprio, atque ex certa scientia, deque apostolicae nostrae potestatis plenitudine, in statu vel provincia Indiana in America septemtrionali novum episcopatum, cuius sedes sit Vincennopolis, unde etiam episcopatus eiusdem titulus derivetur, harum literarum vi erigimus atque statuimus. Huiusce autem dioecesis limites erunt provincia Indiana una cum parte Illinois, cuius reliqua pars dioecesi Sancti Ludovici adiungatur; ita quidem ut utriusque dioecesis limites in provincia Illinensi statuuntur hoc modo: Incipiendo a flumine Ohio, qui ad meridiem dividit Henluky [Kentucky] ab Illinois, et proprie ab castello Massa ducatur linea recta per fines orientales comitatum Johnson, Francklin, Ifferson, Marion, Fajette, Schelly [Shelby] et Maun [Mann] usque ad magna fluenta fluminis Illinois quae sunt ad octo millia passuum supra oppidum Ottawa in comitatu Lasalle, et hic usque ad septemtrionalem provinciae finem, ita ut pars occidentalis provinciae Illinensis pertineat ad dioecesim Sancti Ludovici, pars vero ad orientem spectet ad dioecesim Vincennopolitanam.³

§ 4. Decernimus propterea has literas firmas, valdas ac efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, et singula quaeque quemadmodum a nobis praescripta sunt accurate adimpleri; sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii apostolici auditores, et S. R. E. Cardinales, sublata eis et eorum cuilibet quavis aliter iudicandi et interpretandi facultate et auctoritate iudicari et definiri debere, ac irritum et inane si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.

² The episcopal See was changed, on March 28, 1898, to Indianapolis.

³ For the history of the diocese, cf. Alerding, *History of the Catholic Church in the Diocese of Vincennes* (Indianapolis, 1883).

§ 5. Non obstantibus constitutionibus et ordinationibus apostolicis, caeterisque contrariis quibuscumque.

Datum Romae, apud S. Mariam Maiorem, sub annulo Piscatoris, die vi. maii MDCCCXXXIV., pontificatus nostri anno IV.

Sources: De Martinis, V, 99; *BCPF*, V, 108-109.

No. 57.

DECREE OF PROPAGANDA

JUNE 14, 1834

The decree on the *Mode of Filling Vacant Sees* is the most important of all issued by the Sacred Congregation on the advice of the Second Provincial Council of Baltimore. Up to this time, several methods in selecting bishops for American Sees had been used. Carroll was nominated for the See of Baltimore in 1788 by the American priests in Maryland and Pennsylvania. Bishops Graessl and Neale, Carroll's Coadjutors, were named by Carroll himself and the latter suggested the incumbents for the Sees of Boston (Cheverus), Philadelphia (Egan), and Bardstown (Flaget). The Holy See directly appointed Bishops Concanen (New York), Connolly (New York), England (Charleston, S. C.), and Kelly (Richmond). Maréchal selected Bishop David as Coadjutor to Flaget, while Fenwick (O. P.), Purcell (Cincinnati), and Fenwick (S. J.), were suggested by the suffragans who were interested without having recourse to the metropolitan. In the fourth decree of the Council of 1833, the bishops wrote that some unified system of nominating bishops to vacant Sees was necessary. The decree of the Sacred Congregation embodied the suggestions of the Council.

Summary: When a See becomes vacant, all the bishops of the province vote upon whom they think worthy of being appointed to the See. If a Provincial Council is to be held within three months after the bishop's death, the priests who merit to be appointed to the See or to a coadjutorship should be determined at the Council.

The following should be the plan in case no Council is to be

held: Each bishop should keep sealed a duplicate list of the three priests whom he deems worthy to succeed him; this list is to be opened at his death by his vicar-general. The latter should send one of these lists to the archbishop and the other to the neighboring bishop. The latter will then write to the archbishop giving his opinion of the candidates. If the neighboring bishop does not write, the archbishop will communicate to all the bishops of the province the names of the proposed candidates together with his opinion of them. If he sees fit, he should add more names to the list. Each suffragan shall then write directly to Propaganda expressing his choice and opinion of the candidates.

If a metropolitan See become vacant, the vicar-general should send the letter of the deceased archbishop to the senior and the neighboring suffragans. The senior suffragan shall perform in this case what the metropolitan must do in the case of a suffragan's election.

If the letters of the archbishop or bishop giving the names of those who are to succeed him, cannot be found, the neighboring bishop shall designate the names of three priests to be sent to the archbishop. The latter shall then write to all the bishops of the province and follow out the plan as above stated when the letters of the deceased are found. If the senior suffragan neglect to write to him, the archbishop should send three names to his suffragans.

If an archbishop is to be selected, the senior suffragan shall follow the same procedure which is incumbent upon the metropolitan in case of a vacant suffragan See.

If a bishop desires a coadjutor, he shall send a list of three names to the metropolitan and the suffragan bishops and a petition requesting a coadjutor to the Holy See. The archbishop and the suffragan bishops will write to the Congregation their views on the matter.

It is to be well noted, that the names thus sent in are merely recommendations, having no binding force on the Congregation to select any of the candidates mentioned.

*De methodo servanda in Episcoporum dioecesium Foederatarum
Americae Septemtrionalis provinciarum electione.¹*

DECRETUM

*Sacrae Congregationis generalis de Prop. Fide habitae die XVIII. martii
MDCCCXXXIV.*

Cum ad religionis incrementum in Foederatae Americae regionibus stabilius procurandum in primis conferat, ut Episcoporum dioecesum ibi statutarum electionis gravissimum negotium rite sanctaeque absolva-
tur S. Congregatio de Propaganda Fide valde opportunum esse ad hoc consequendum existimans, ut certa methodus ubique in illis dioecesibus servanda statuatur, qua fiat ut Sedes Apostolica exploratum notitiam habere possit meritum sacerdotum, pro quibus commendationes affe-
runtur, in generali conventu die XVIII. martii anno MDCCCXXXIV. habito, referente Eñõ et Rñõ D. J. Antonio S. R. E. Cardinali Sala censuit ac decrevit in ea re esse servanda quae sequuntur.

Cum aliqua Sedes Episcopalis vacaverit, requirendum est Episco-
porum omnium provinciae ecclesiasticae suffragium de sacerdotibus singulis, qui Sedi Apostolicae commendandi esse videntur pro nova Episcopi electione. Quoniam vero id in Concilio provinciali facillime et accurate fieri potest, si intra tres menses ab obitu Episcopi Concilium provinciale habendum est, expectanda erit Concilii celebratio antequam ad commendandos sacerdotes qui episcopatu digni censentur, ad S. Congregationem scribatur. In Concilio autem, collatis inter se sententiis, Episcopi statuunt, quos sacerdotes S. Sedi commendent vere idoneos, et de Ecclesia benemeritos, qui sedes vacantes obtineant, vel coadiutoris

¹ This complicated *Mode of filling Vacant Sees* was followed until the First Plenary Council of 1852. A slight change was made in 1850, when Propaganda decreed that since new provinces were to be established in the United States, the metropolitan of the province in which the vacant See occurs should transmit the names of candidates for the See to the other metropolitans. This decree was given on the recommendation of the Seventh Plenary Council of Baltimore of 1849 (III Decree, *CBH*, 278). The Decree of the Congregation, dated August 10, 1850, is given *ibid.*, 290-291. The First Plenary Council of 1852 urged the formation of a body of Consultors through whom the priests of the diocese might express their preference, and this was again recommended in the Second Plenary Council of 1866. In 1859, the Sacred Congregation decreed that the other archbishops should have a deliberative vote in the election to a vacant metropolitan See and in 1861, each bishop was required to send triennially to the Holy See and to the metropolitans the names of priests eligible to the episcopate. Cf. Guilday, *History of the Councils of Baltimore* (New York, 1932), 205, 270-272; McCarthy, "Historical Development of Episcopal Nominations in the Catholic Church of the United States (1784-1884)", in *Records*, XXXVIII (1927).

officium suscipiant illius Episcopi qui auxilio coadiutoris indigere censeatur.

Quod spectat vero ad casus quibus, prout superius statutum est, Concilii provincialis celebratio non ita proxima sit, ne Sedes Episcopalis aliqua diu vacet, primum hoc magnopere opportunum factu est, ut singuli Episcopi literas subscriptas et sigillo munitas duplici exemplo apud se habeant, quibus contineantur nomina trium saltem sacerdotum quos idoneos arbitrentur ad diaecesim regendam. Eae autem literae ita exterius obsignari debent, ut, adveniente Episcopi morte, Vicario Generali tradendae esse intelligantur: Vicarius vero Generalis alterum earum literarum exemplum ad Archiepiscopum, alterum ad propinquiorem vel ad seniore ex duobus Episcopis propinquantioribus deferendum curet. Eo literarum exemplo accepto Episcopus propinquantior ad Archiepiscopum scribet, suasque animadversiones adiiciet. Epistola Episcopi propinquantioris ad Archiepiscopum delata, vel si neglexerit is scribere, rationabili elapso temporis spatio, Archiepiscopus ad omnes Episcopos ne propinquantiori quidem excepto scribet, et nomina illa cum suis animadversionibus communicabit, aliorum etiam nominibus additis, si illi quos Episcopus designaverat, Archiepiscopo idonei minime videantur. Post acceptas Archiepiscopi literas, omnes Episcopi ad S. Congregationem sine mora scribent suas sententias, et suffragia de tribus illis vel sex commendatis exposituri. Vacante Sede Metropolitana literae Archiepiscopi demortui nomina trium sacerdotum designator. a Vicario Generali ad Episcopum propinquantior et ad suffraganeum Episcopum seniore mittendae sunt: Episcopus autem senior suffraganeus faciet ea omnia quae de Archiepiscopo superius statuta sunt ubi agitur de Episcopi electione.

Quod si apud Episcopum vel Archiepiscopum demortuum literae memoratae ad trium sacerdotum designationem non reperiuntur, Vicarius Generalis Episcopum propinquantior, vel seniore ex duobus propinquantioribus, de ea re certiore statim faciet, ut Episcopus propinquantior tria designet sacerdotum nomina in epistola ad Archiepiscopum mittenda: Archiepiscopus ea accepta ad omnes Episcopos scribet, et ea omnia fient, quae iam indicata sunt circa agendi rationem tenendam, ubi literae Episcopi aut Archiepiscopi sacerdotum nomina ante mortem designata fuerint repertae, si Episcopus propinquantior ad Archiepiscopum scribere neglexerit, Archiepiscopus ipse tria nomina sacerdotum suffraganeis omnibus, propinquantiori non excepto, designabit. Si agatur de Archiepiscopi electione, senior Episcopus suffraganeus faciet omnia quae in Episcopi electione ab Archiepiscopo facienda esse decretum est. Quod pertinet ad electionem coadiutorum, excepto casu, quo Sedes Apostolica alia ratione agendum esse statuerit, Episcopus qui coadiutorem petit, nomina trium sacerdotum Archiepiscopo et Episcopis suffraganeis significabit; supplicem libellum de ea re ad S. Congregationem mittet, et Archiepiscopus et Episcopi S. Congregationi mentem suam de coadiutore eligendo communicabunt.

Haec sunt quae in commendandis Sedi Apostolicae sacerdotibus pro Foederatae Americae episcoporum electione S. Congregatio servanda praescripsit. Ea vero decernens notum omnibus esse voluit, in literis de hac pertractantibus ad S. Sedem transmittendis nihil inveniri debere, quod electionem, nominationem, postulationem innuat, sed proprie dictam commendationem, ut etiam ex literarum forma pateat nullam in S. Sedem inferri obligationem eligendi aliquem ex commendatis: salva enim manere debet et illaesa Sedis Apostolicae libertas in eligendis Episcopis: commendationes vero lumen tantum et cognitionem S. Congregationi, non autem obligationem afferent.

Datum Romae ex aedibus Sacrae Congregationis de Propaganda Fide die XIV. iunii MDCCCXXXIV.

Sources: De Martinis, V, 97, note; *CBH*, 117-120; Mansi. XXXIX, 317-320.

Partly translated in Guilday, *History of the Councils of Baltimore* (New York, 1932), 108-109.

No. 58.

GREGORY XVI

JUNE 18, 1834

The necessity of defining the limits of the American Sees had been one of the reasons proposed by Propaganda to Dr. Whitfield for convening the Second Provincial Council. The third decree of the Council furnished the Holy See with the necessary information concerning the geographical limits of the different dioceses and these suggestions were embodied in the following Apostolic Bull of Gregory XVI.

Summary: We have been acquainted with the progress of the Faith in the United States, from the time We were consultor to the Sacred Congregation de Propaganda Fide, and later as Prefect of the same Congregation. After being called to be Vicar of Him Who reigns in Heaven, We have been given indubitable testimony of the propagation of the Faith, of the concord existing among our episcopal brethren, etc. We pray that He Who hath begun the good work may continue and that our joy may be full.

Following the wishes of those same bishops, We have thought it well to define the limits of each diocese in order that religion may

the better increase. For it has come to our ears that from the erection of the many episcopal Sees, the former diocesan limits have become uncertain. Wherefore, to remove all cause for anxiety and doubt regarding the exercise of ecclesiastical jurisdiction, it has become absolutely necessary that the Apostolic See, which holds the primacy of jurisdiction over all other churches, should assign certain and proper limits to those dioceses.

Upon the advice, therefore, of the Cardinals of the Sacred Congregation de Propaganda Fide, and the desire of the Provincial Synod of Baltimore, we assign and circumscribe the limits of the dioceses in America in the following manner.

The limits of the following dioceses are given: The Archdiocese of Baltimore, the Dioceses of Richmond (administered by Baltimore), Boston, New York, Philadelphia, Charleston, Mobile, New Orleans, Cincinnati, Detroit, Bardstown, St. Louis, and Vincennes.

The Archbishop of Baltimore, either by himself or through others whom he may choose, shall solemnly publish and execute this letter, and he shall see to it that each and every thing contained therein be observed, and he shall have the power to punish by ecclesiastical censures those who refuse submission, and, if necessary, he may appeal to the secular arm. We command the Archbishop of Baltimore that he send a copy of those things to be executed and which are contained in this letter to the Holy See, within ten months of their execution.

GREGORIUS EPISCOPUS

servus servorum Dei, ad perpetuam rei memoriam.

§ 1. Benedictus Deus, cuius misericordiae non est numerus, et bonitatis infinitus est thesaurus, nos quidem amaritudinibus undique affici, ac fluctibus sine intermissione iactari permittit, animo tamen despondere non patitur, gaudiisque interdum spiritualibus dignatur cor nostrum reficere ac dilatare, ut alacriores effecti apostolicae sollicitudinis curas ad remotissimas quoque orbis regiones impense conferamus, et quidquid Orthodoxae fidei dilatationi, pastorum tranquillitati, et recto Christifidelium regimini aptius congruere conspiciamus, id apostolica qua fungimur auctoritate statuamus et decernamus.

§ 2. Nobis sane, quo felici successu catholicae religionis negotia in provinciis foederatis Americae Septemtrionalis progredierentur, iam tum plane innotuit, cum in minoribus constituti Congregationi Propagandae Fidei operam nostram prius consultoris officio, dein Cardinalis praefecti

munere impenderemus. Postquam vero ineffabili Dei bonitate, nullisque nostris suffragantibus meritis ad eius vices in terris gerendas, qui gloriosus regnat in coelis, vocati fuimus laetiora etiam et indubia de sacrosanctae catholicae fidei propagatione, deque venerabilium fratrum Episcoporum concordia, studio et cura in pascendis ac regendis ovibus sibi commissis, divinoque cultu augendo nobis allata sunt testimonia. Supramodum itaque laetitia perfundimur, ac Deo optimo maximo bonorum omnium largitori debitas persolvimus gratias, simulque preces supplicationesque nostras effundimus, ut qui coepit opus bonum, ipse perficiat, gaudiumque nostrum reddat plenum.

§ 3. Nos intereat earumdem Antistitum postulationibus obsecundare, et Christifidelium utilitati quantum ex alto nobis datum est prospicere volentes, limites dioecesum in memoratis regionibus existentium singillatim describendos putamus, ut catholicae religionis negotia laudabilibus in dies posint proficere incrementis, ac de profectu sanctorum ovium haurientium aquas in gaudio de fontibus Salvatoris fiat corona immarcescibilis pastorum. Etenim ad aures nostras pervenit ex plurium sedium episcopalium erectione haud longo annorum decursu explecta ob magnum, quod accepit Orthodoxa fides in America foederata incrementum vetusta dioecesum confinia evasisse minus accommodata vel incerta, proindeque ad omnem quoque dubitationis et anxietatis tollendam occasionem, quae circa iurisdictionis ecclesiasticae exercitium venerabiles fratres Episcopos, ac dilectos filios presbyteros in illa vineae Domini parte tam naviter ac tam prospere adiuvante Domino laborantes perturbare, et vinculum charitatis, quo in Domino colligantur, obrumpere posset, esse omnino necessarium, ut certi, locorumque conditioni congruentes illarum dioecesum limites per Apostolicam Sedem, quae divinitus super alias omnes ecclesias iurisdictionis obtinet primatum, statuantur et describantur.

§ 4. Quapropter nos qui rem universam Congregationi venerabilium fratrum nostrorum S. R. E. Cardinalium, negotiis Propagandae Fidei praepositorum perpendendam commisimus, eorumden consilio adhaerentes, atque etiam Episcoporum votis in synodo provinciali Balthimorensi mense octobri superioris anni millesimi octingentesimi trigesimi tertii congregatorum annuente, ex certa scientia, matura deliberatione, deque apostolicae potestatis plenitudine ad omnipotentis Dei gloriam, Deiparae laudem, ac fidei catholicae exaltationem limites dioecesum in America foederata in hunc, qui sequitur, modum assignamus et circumscribimus, eosque ab omnibus perpetuo, ac inviolabiliter servari iubemus atque mandamus, nimirum:

§ 5. Archidioecesis Baltimorensis complectetur totam Marylandiae provinciam cum districtu foederali Columbiae.

Archiepiscopus praeterea Balthimorensis episcopalem sedem Richmondensem donec aliter a S. Sede provideatur, administratoris titulo procurabit, atque haec dioecesis Virginiae provinciam subiectam habebit.

Dioecesis Bostoniensis comprehendet sex provincias, quae vulgo nova

Anglia nuncupatur, idest Massachusetts, Maine, New-Stampshire, Rhode-Island, Connecticut, Varmont.

Dioecesis Novi-Eboraci continebit provinciam eiusdem nominis, atque etiam comitatus in provincia New-Jersey existentes scilicet Sussex, Bergen, Morris, Essex, Somerset, Middlesex et Monmouth.

Dioecesis Philadelphae constabit ex provinciis Pernsylvaniae, et Delaware una cum sequentibus comitatibus in provincia New-Sersy, hoc est Hunterdon, Varren, Burlington, Gloucester, Salem, Cumberland et Cape-May.

Dioecesis Carolinopolitana complectetur provincias Carolinam Meridionalem, Carolinam Septentrionalem et Georgiam.

Dioecesis Mobiliensis efformabitur ex provinciis Alabamae et Floridarum.

Dioecesis Novae Aureliae constituetur ex provinciis Luisianae et Missisipi.

Dioecesis Cincinnatensis continebit Ohio provinciam.

Dioecesis Detroitensis comprehendet territoria Michigan, et Nord-Ovest, seu North Western.

Dioecesis Bardensis habebit provincias Kentuki et Jennessae.

Dioecesis Sancti Ludovici complectetur provinciam Missouri una cum territorio dicto Arkansas, et donec aliud a Sancta Sede statuatur, habebit quoque territorium ad occidentalem plagam fluminis Missisipi.

Dioecesis denique Vincennopolitana comprehendet provinciam Indianae una cum parte Illinois, cuius reliqua pars dioecesi S. Ludovici adiungetur, ita quidem ut utriusque dioecesis limites in provincia Illinensi statuatur hoc modo. Incipiendo a flumine Ohio, quod ad meridiem dividit Kantukij ab Illinois, et proprie ab castello Massae ducatur linea recta per fines Orientales comitatum Johnson, Francklin, Jefferson, Marion, Fayette, Shelby et Macon usque ad Magna fluentia fluminis Illinois, quae sunt ad octo millia passuum supra oppidum Ottawa in comitatu Lasalle, et hinc usque ad septemtrionalem provinciae finem, adeo ut pars occidentalis lineae provinciae Illinensis pertineat ad dioecesim Sancti Ludovici, pars vero orientalis ad dioecesim Vincennopolitanam omnino spectet.

§ 6. Itaque venerabili fratri Iacobo Archiepiscopo Balthimorensi, quem in praesentium literarum exequutorem eligimus ac deputamus, per apostolica scripta mandamus, ut ipse per se, vel per alios viros ecclesiastica dignitate insignitos ab eo subdelegandos hasce nostras literas ubi et quando opus fuerit, ac quoties ab iis quorum interest, aut ab aliquo eorum fuerit requisitus solemniter publicet, et exequatur, ac omnia et singula in eis contenta faciat auctoritate nostra ab omnibus ad quos spectat et pro tempore spectabit, inviolabiliter observari, atque ut tam ipse, quam personae ab eo subdelegandae super quacumque oppositione in actu executionis quomodolibet oritura etiam definitive, et quacumque appellatione remota pronunciare, libere et licite possit atque valeat, contradictores quoslibet, ac rebelles per sententias, cen-

suras, poenasque ecclesiasticas, aliaque iuris et facti remedia compescendo, invocato etiam, si opus fuerit, auxilio brachii saecularis, plenam et omnimodam facultatem concedimus atque largimur. Eidem vero Archiepiscopo Balthimorensi praecipimus ac mandamus ut singulorum actorum in harum literarum executione conficiendorum exemplar authentica forma exaratum intra decem menses ab expleta ipsarum executione ad hanc Apostolicam Sedem transmittat, illudque in archivo Congregationis Propagandae Fidei asservari volumus.

§ 7. Praesentes vero literas semper ac perpetuo validas, et efficaces existere et fore, nulloque unquam tempore subreptionis, obreptionis, aut nullitatis vitio seu intentionis nostrae, aliove quovis defectu, etiam ex eo quod ii quorum interest, aut interesse posset in futurum cuiusvis status, ordinis, praeeminentiae ac dignitatis sint, illis non consenserint, aut minime vocati et auditi fuerint, aut ex eo quod solemnitates, ac quaecumque alia forsitan servanda, minime servata fuerint, impugnari, aut in controversiam vocari posse, sed tamquam ex pontificiae providentiae officio, ac motu-proprio factas omnimoda firmitate existere, suosque plenarios ac integros effectus sortiri: sicque ab omnibus censi, ac ita et non alias per quoscumque iudices ordinarios vel delegatos quavis auctoritate fungentes, sublata eis et eorum cuilibet quavis aliter iudicandi ac interpretandi facultate iudicari et definiri debere, et si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari, irritum ac inane decernimus atque declaramus.

§ 8. Non obstantibus de iure quaesito non tollendo, aliisque cancellariae apostolicae regulis, nec non apostolicis et synodalibus constitutionibus, caeterisque etiam speciali et individua mentione dignis in contrarium praemissorum editis, quibus omnibus hac vice dumtaxat, et ad praemissorum effectum derogamus ac derogatum esse volumus.

§ 9. Huiusmodi autem literarum transumptis, seu exemplis etiam impressis, manu notarii publici subscriptis, ac sigillo personae in ecclesiastica dignitate constitutae munitis eamdem ubique locorum in iudicio, et extra fidem praeberi volumus, quae his praesentibus haberetur, si originaliter exhiberentur.

§ 10. Nulli ergo omnino hominum liceat hanc paginam nostrae circumscriptionis, assignationis, immutationis, concessionis, commissionis, mandati ac voluntatis infringere, vel ei ausu temerario contraire: si quis vero hoc attentare praesumpserit indignationem omnipotentis Dei, ac beatorum Petri et Pauli Apostolorum eius se noverit incursurum.

Datum Romae apud S. Petrum, anno Incarnationis dominicae millesimo octingentesimo trigesimo quarto, decimo quinto kalendas iulias, pontificatus nostri anno quarto.

Sources: De Martinis, V, 102-104; *BCPF*, V, 110-113; Mansi, XXXIX, 314-317; *CBH*, 111-117.

No. 59.

PROPAGANDA TO WHITFIELD

JULY 26, 1834

The Sacred Congregation, to which all matters pertaining to the Provincial Councils were referred, sent the following letter of congratulation to Whitfield together with the Apostolic Bull defining the limits of the American diocese.

Summary: It is my office to write to you in the name of the Sacred Congregation to congratulate you. I believe that you have received the Apostolic Brief of May 17, erecting the Diocese of Vincennes and appointing S. Bruté the first bishop of that diocese. Attached to this letter you will find the Apostolic Bull defining the limits of all the dioceses in the United States.

The Mission to the Indians and the Liberian Mission¹ are placed under the care of the Jesuits. We have spoken to the Minister General of the Society concerning these two points.

You shall see to it that each bishop receive a copy of the instructions of the Congregation concerning the election of bishops. This Congregation will gladly accept a copy of your new edition of the Roman Ritual and the other books on philosophy and theology which you intend to edit.

Perspicuum novumque amplitudo tua et Episcopi Foederatae Americae dioecesum ediderunt testimonium singularis quo praestant erga religionem amoris alterum provinciale Concilium praeterito mense octobri Baltimori celebrando. Ea enim omnia quae ibi gesta ac statuta sunt, ex studio profecta esse intelliguntur, quo omnes incensi estis Ecclesiae utilitatis procurandae. SS^mus Dñs noster Gregorius PP. XVI. scriptis a se ad vos litteris suis, quas huic Epistolae adiectas reperietis, id auctoritate sua testatum voluit. Nunc meum est Sacrae Congregationis nomine ad vos scribere et vestrae virtuti iterum ex animo gratulari, et eos observantiae sensus confirmare, quibus vos omnes de religione optime meritos iure prosequimur.

Venio autem ad ea, quae in Concilio illo pertractata, et Sedis Apostolicae iudicio a vobis subiecta sunt. Equidem arbitror iam ad amplitudinem tuam pervenisse S. Congregationis epistolam die xvii. maii scriptam, qua Brevia Apostolica continebantur de Sedis Episcopalis

¹ Cf. Fisher, H. P., "Catholic Church in Liberia", in *Records*, XL (1929), 249-310.

Vincennopolitanae erectione, deque R. P. D. Simonis Bruté ad illum episcopatum electione.

His litteris nunc adiectam accipies SS^{mi} D. N. Gregorii PP. XVI. Bullam Apostolicam, qua dioecesum omnium in America Foederata existentium limites statuuntur. Ita omnis dubiorum occasio circa iurisdictionem a singulis Episcopis exercendam penitus auferatur.

Quod pertinet ad spiritualem curam gerendam missionum ad Indos, qui extra provincias foederatas et territoria iam designata, atque omnium quae hactenus erectae sunt dioecesum limites ex civilis potestatis auctoritate constitui debent, placuit S. Congregationi patribus Societatis Iesu tale negotium esse committendum. Ita quoque placuit nigrorum hominum qui ex istis regionibus in *Liberiam* Africae Coloniam migrant, spiritualem curam eidem Societati Iesu commendandam esse. Egimus utraque de re cum R^{mo} P. Societatis Iesu generali ministro, certumque habemus PP. Societatis omnem operam daturus esse, ut vestra, et S. Congregationis vota felicem exitum consequantur.

De methodo servanda in istarum dioecesum Episcopis eligendis, mitto ad amplitudinem tuam Decretum Sacrae Congregationis iussu et auctoritate editum. Curabis ut ad singulos Foederatae Americae Episcopos eiusdem decreti exemplar mittatur, ut omnes in tam gravi negotio normam tenendam agnoscant.

Denique, ut par erat, amplissimis laudibus Sacra Congregatio prosequuta est initum amplitudine tua et Episcopis collegis tuis consilium de nova facienda Ritualis Romani editione, deque libris componendis qui ad institutiones philosophicas et theologicas tradendas in scholis adhibeantur. Erit vero S. Congregationi gratissimum tum Ritualis, tum librorum de quibus sermo est, exemplar, postquam editum fuerit, recipere.

Praecipua haec sunt, quae circa ecclesiastica negotia in Concilio Baltimorensi provinciali secundo pertractata S. Congregationis nomine tibi, ceterisque Episcopis collegis tuis significare debeam. Reliquum est, ut amplitudini tuae, ac memoratis RR. PP. DD. Episcopis Americae Foederatae fausta omnia preces, et D. O. M. exorem ut ad Ecclesiae utilitatem vos omnes diu incolumes ac felicem servet. Datum Romae ex aedibus Sacrae Congregationis de Propaganda Fide die xxvi. iulii MDCCCXXXIV.

Sources: De Martinis, V, 96-97, note; *CBH*, 107-109; Mansi, XXXIX, 313-314.

No. 60.

GREGORY XVI

JULY 28, 1837

The Third Provincial Council held in Baltimore from April 16 to April 23, 1837,¹ petitioned Gregory XVI to erect three new dioceses, Natchez, Dubuque, and Nashville. In their letter of April 22, 1837, to the Roman Pontiff they give the following reasons for founding these new Sees: "The very vast regions that stretch far and wide to the West and in which there are at present five dioceses, namely, Cincinnati, Bardstown, Detroit, Vincennes, and St. Louis are flourishing under Catholic institutions; they would have remained like desert places, impassable, barren, desolate and solitary in those things that regard religion, had not these Sees been founded. Led by these reasons, we humbly beseech your Holiness that you would deign to found new dioceses in the States of Mississippi and Tennessee. Other immense regions, Holy Father, lie to the West. Catholics who emigrate from Europe to America, or from the older provinces of America itself, are seeking new homes in the West, settling in the territory that lies between Upper Mississippi and the Missouri River. The city of Dubuque, founded three years ago, already contains many inhabitants. We humbly beseech your Holiness to found a new diocese there. Other dioceses should be formed, if only there were more priests whom we could recommend to your Holiness for the episcopal office. Necessity demands action and there is danger without doubt in delay: for experience shows that in these new regions, when episcopal Sees are founded from the very beginning of the new settlements themselves, it is much easier and safer to build churches, and religion can be spread in every way, due to the few obstacles placed in the way by sectaries and also because one can procure at a reasonable price ground and estates for the erection and support of churches, colleges and seminaries".² The Holy See was very prompt in acceding to the wishes of the Fathers of the Council.

¹ The *Acta et Decreta* of the Council are given in the *CBH*, 123-155; *Coll. Lac.*, III, 49-64; *BCPF*, V, Appendix, 34-50.

² *CBH*, 136-137.

Summary: Since the Archbishop of Baltimore and his suffragans, assembled in the Third Provincial Council of Baltimore, have sent us a petition for the erection of a new diocese in the State of Mississippi, which heretofore was under the jurisdiction of New Orleans, having considered the advice of the Sacred Congregation and taking into account the consent of the Bishop of New Orleans, have thought it proper to erect the See.

Therefore, We hereby erect a new episcopal See in the city of Natchez, to which we subject the entire State of Mississippi, which latter We substract from the jurisdiction of the Bishop of New Orleans and erect it into a separate diocese.

GREGORIUS PP. XVI.

ad perpetuam rei memoriam.

Universi dominici gregis salus nobis divinitus concredita postulat atque efflagitat, ut summo studio et vigilantia ea omnia peragenda curemus, quae ad catholicae Religionis bonum et christifidelium utilitatem pertinere posse cognoscimus.

§ 1. Itaque cum venn. fratres Archiepiscopus Baltimorensis atque Episcopi dioecesium confaederatarum Americae septentrionalis provinciarum, in synodo provinciali mense aprili huius vertentis anni MDCCCXXXVII. habitâ congregati, ad nos supplicem miserint libellum, quo petebant ut, ad prospiciendum Religionis catholicae incremento, atque ad commodius et expeditius procurandam animarum salutem, in provinciâ Fluminis Missisipii in civitate Natchetensi¹ novam episcopalem sedem constituere velimus, cui tota Missisipiensis provincia subiiciatur, quae haecenus Episcopi Novae Aureliae iurisdictioni suberat, nos de venn. fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum sententiâ, ac ratione habitâ consensus ab eodem Episcopo Novae Aureliae exhibiti, eiusmodi rem conficiendam censuimus.

§ 2. Itaque rebus omnibus maturo examine perpensis, motu proprio et ex certâ scientiâ, deque nostrae apostolicae potestatis plenitudine hisce literis in civitate Natchetensi novam episcopalem sedem erigimus atque instituimus, cui totam provinciam Missisipiensem subiicimus, quam provinciam ex iurisdictione Episcopi Novae Aureliae omnino substractam in proprium et peculiarem episcopatum erigimus, atque in memoratâ civitate proprium Episcopum pariter constituimus. Ipsi autem Episcopo ab hac Sede adlegendo omnes et singulas facultates solitas eâdem auctoritate nostrâ concedimus atque impertimur.²

¹ Cf. Janssens, F., *Sketch of the Catholic Church in the City of Natchez* (Natchez, 1886); Shea III, 660-665.

² Thomas Heyden was first nominated to the new See (Fransoni to Whit-

§ 3. Haec volumus atque decernimus, derogantes iis, quae apostolicis literis diei MDCCCXXXIV. incipientibus *Benedictus Deus* praescripta sunt de iurisdictione in provinciam Mississipiensem Episcopo Novae Aureliae tribuendâ, ac decernimus, has praesentes literas etc. attentari, non obstante etc. et quoties opus fuerit fel. rec. Benedicti XIV. praedecessoris nostri super divisione materiarum aliisque constitutionibus etc. quibuscumque.

Datum Romae, apud S. Mariam Maiorem sub annulo Piscatoris, die XXVIII. iulii MDCCCXXVII., pontificatus nostri anno VII.

Sources: De Martinis, V, 189; *BCPF*, V, 161-162.

No. 61.

GREGORY XVI

JULY 28, 1837

Summary: Since the Archbishop of Baltimore and his suffragans assembled in the Third Provincial Council of Baltimore, have sent us a petition in which they asked that a new See be erected in Dubuque, a city recently founded but already populous,

We, therefore, erect a new episcopal See in the city of Dubuque, Wisconsin, to which we subject that part of the Territory of Wisconsin which lies beyond the Mississippi River, on this side of the Missouri River. This territory We substract from the jurisdiction of St. Louis and erect into a separate diocese.

We hereby declare null, those things contained in the Bull *Benedictus Deus*, of June 18, 1834, concerning jurisdiction in the State of Mississippi to be given to the Bishop of New Orleans.

GREGORIUS PP. XVI.

ad perpetuam rei memoriam.

Universi dominici gregis salus nobis divinitus concredita postulat atque efflagitat, ut summo studio et vigilantia ea omnia peragenda curemus quae ad catholicae Religionis bonum et christifidelium utilitatem pertinere posse cognoscimus.

field, September 2, 1837, *CBH*, 145-146), but after some hesitation he declined the mitre. John Chanche, president of St. Mary's Seminary, Baltimore, was then chosen to be the first Bishop of Natchez. He was born in Baltimore, Maryland, on October 4, 1795, ordained in 1819, joined the Sulpicians, and was consecrated bishop on March 14, 1841. He died on July 23, 1852. Clarke, *Lives of Deceased Bishops*, II, 166-190.

§ 1. Itaque cum venn. fratres Archiepiscopus Baltimorensis, atque Episcopi dioecesium confaederatarum Americae septentrionalis provinciarum in synodo provinciali mense aprili huius vertentis anni MDCCCXXXVII. habita congregati, ad nos supplicem miserint libellum, quo affirmabatur utile religioni et animarum saluti esse futurum, si sedes nova episcopalis in civitate Dubuquensi,¹ nuper quidem aedificatâ, sed valde iam populosâ, in territorio Visconsino erigatur, cui eiusdem territorii occidentalis pars, quod ultra flumen Mississipi, citra flumen Missouri iacet, quae hactenus Episcopo S. Ludovici suberat, subiiciatur, nos de venn. fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum consilio, apostolicae potestatis plenitudine, in civitate Dubuquensi² in territorio Visconsin novam episcopalem sedem erigimus atque instituimus, cui eiusdem territorii occidentalis partem, quod ultra flumen Mississipi, citra flumen Missouri iacet, subiicimus, quam quidem territorii partem ab iurisdictione Episcopi S. Ludovici omnino subtractam in proprium ac peculiarem episcopatum erigimus, atque in commemoratâ civitate proprium Episcopum constituimus. Ipsi autem Episcopo ab hac sede adlegendo omnes et singulas facultates solitas eâdem auctoritate nostrâ concedimus atque impertimur.³

§ 2. Haec volumus, atque decernimus derogantes iis, quae apostolicis literis diei XVIII. iunii MDCCCXXXIV. incipientibus *Benedictus Deus* praescripta sunt de iurisdictione in provinciam Mississipiensem Episcopo Novae Aureliae tribuendâ; ac decernentes has praesentes literas etc. attentari, non obstante etc. et quoties opus fuerit fel. rec. Benedicti XIV. praedecessoris nostri super divisione materiarum aliisque constitutionibus etc. quibuscumque.

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris die XXVIII. iulii MDCCCXXXVII., pontificatus nostri anno VII.

Sources: De Martinis, V, 189-190; *BCPF*, V, 162-163.

¹ Cf. Kempker, *History of Catholic Church in Iowa* (Iowa City, 1887); Shea III, 702-705.

² Dubuque became an Archdiocese on September 17, 1893.

³ Matthias Loras, first Bishop of Dubuque, was born on August 30, 1792, at Lyons, France, was ordained in 1815, and, at the request of Bishop Portier, came to Mobile in 1829. He was consecrated on December 10, 1837, and died in Dubuque on February 20, 1858. Clarke, *Lives of Deceased Bishops*, II, 126-146; de Cailly, *Memoirs of Bishop Loras* (New York, 1897).

No. 62.

GREGORY XVI

JULY 28, 1837

Summary: Since the Archbishop of Baltimore and his suffragans assembled in the Third Provincial Council of Baltimore, have sent us a petition, in which they asked that a new See be erected in the very populous city of Nashville:

We, therefore, with the advice of the Cardinals of the Sacred Congregation, decree the erection of a new episcopal See in the city of Nashville, to which we subject the entire State of Tennessee. This territory we substract from the jurisdiction of the Bishop of Bardstown and erect into a separate diocese.

We hereby declare null those things contained in the Bull *Benedictus Deus*, of June 18, 1834, concerning the jurisdiction of the Bishop of New Orleans in the State of Mississippi.

GREGORIUS PP. XVI.

ad perpetuam rei memoriam.

Universi dominici gregis salus nobis divinitus concredita postulat atque efflagitat, ut summo studio et vigilantia ea omnia peragenda curemus quae ad catholicae Religionis bonum et christifidelium utilitatem pertinere posse cognoscimus.

§ 1. Itaque cum venn. fratres Archiepiscopus Baltimorensis, atque Episcopi dioecesium confaederatarum Americae septemtrionalis provinciarum in synodo provinciali mense aprili huius vertentis anni MDCCCXXXVII. habita, congregati, ad nos supplicem miserint libellum, quo affirmabatur utile religioni et animarum saluti esse futurum, si in provinciâ Tennessemi nova sedes episcopalis in civitate Nashville in comitatu Davidsoniensi, quae civitas valde populosa est, erigatur, cui tota provincia Tennesseensis, quae hactenus Episcopo Bardensi suberat, subiiciatur; nos de venn. fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum consilio, in civitate Nashville¹ in comitatu Davidsoniensi novam episcopalem sedem erigimus et constituimus, cui totam provinciam Tennesseensem subiicimus, quam provinciam ab iurisdictione Episcopi Bardensis omnino substractam in

¹ The first Bishop of Nashville, Richard Miles, O. P., was born in Prince George's County, Maryland, on May 17, 1791. He joined the Dominican Order, was ordained in 1816, and was consecrated on September 16, 1838. He died in Nashville, on February 21, 1860. O'Daniel, *Father of the Church in Tennessee* (Washington, D. C., 1926).

proprium ac peculiarem episcopatum erigimus, atque in commemorata civitate et dioecesi proprium Episcopum pariter constituimus. Ipsi autem Episcopo ab hac sede adlegendo omnes et singulas facultates solitas eâdem auctoritate nostrâ concedimus atque impertimur.

§ 2. Haec volumus atque decernimus derogantes iis, quae apostolicis literis diei XVIII. iunii MDCCCXXXIV. incipientibus *Benedictus Deus*² praescripta sunt de iurisdictione in provinciam Mississipiensem Episcopo Novae Aureliae tribuenda, ac decernimus has praesentes literas etc. attentari, non obstante etc. et quoties opus fuerit fel. rec. Benedicti XIV. praedecessoris nostri super divisione materiarum aliisque constitutionibus etc. quibuscumque.

Datum Romae, apud S. Mariam Maiorem sub annulo Piscatoris, die XXVIII. iulii MDCCCXXXVII., pontific. nostri anno VII.

Sources: De Martinis, V, 190; *BCPF*. V, 163-164.

No. 63.

GREGORY XVI

DECEMBER 3, 1839

Although the papal Brief of Gregory XVI on the Negro Slave Trade was not addressed specifically to the American Church, nevertheless, it caused quite a stir in the United States, for slavery was one of the important issues in the Presidential campaign of 1840. Harrison, who may be considered the first anti-slavery candidate for the Presidency, was forced upon the South, according to certain politicians, by a combination of anti-Masonry and Abolitionism. That Catholics were involved in this combination was evident, according to the same politicians, by the papal letter of Gregory XVI. Bishop England answered this charge by showing that the Roman Pontiff distinguished between the slave trade and domestic slavery as practiced in the Southern States; the former was condemned by the papal Brief whereas the latter was not.¹ The Brief was read before the Fathers of the Fourth Provincial Council of Baltimore and accepted, although the majority were from the slave-holding States. Bishop England, in a letter of

² The Bull *Benedictus Deus* is given in Document 58.

¹ England's "Letters on Domestic Slavery" are printed in his *Works*, V, 106-191.

October 7, 1840, to the Hon. John Forsyth, Secretary of State, quoted Gregory XVI as having said to him while in Rome: "Though the Southern States of your Union have had domestic slavery as an heir-loom, whether they would or not, they are not engaged in the negro traffic—that is the slave trade".² "As to the meaning of the apostolic letter", to quote the *United States Catholic Miscellany*, "we can see no room for doubt. His Holiness speaks of reducing Indians, negroes and such others, into slavery; of assisting those who engage in that inhuman traffic, and through desire of gain, and to foster their trade, go so far as to excite quarrels and wars among them in their native country. He opposes the continuance of the evil which several of his predecessors, whom he names, endeavoured with imperfect success to repress. They speak explicitly of reducing freemen, Indians in South America and negroes in Guinea, to slavery. In one word, he condemns what our own laws condemn as felony—the slave trade. Domestic slavery, as it exists in the Southern States, and in other parts of the Christian world, he does not condemn".³

Summary: At the beginning of the Christian era, the slaves felt their condition much alleviated. For the Apostle Paul taught the slave to obey, and the master to treat him well. The stage was soon reached in the following centuries where complete freedom was granted to those slaves who deserved it. In the course of time, the matter progressed so far that now, for many ages, no slaves may be held among many Christian nations. But subsequently, even among the faithful, there were those who blinded by the lust for gain began to traffic in the sale of Indians, negroes and others. Our predecessors, the Roman Pontiffs, condemned this disgraceful traffic, and especially Urban VIII, who on April 22, 1639, severely censured those who should dare to enslave the western or southern Indians, to sell, to buy, to exchange, or to give them away, etc. Other Pontiffs who condemned slavery were Benedict XIV, Pius II, and Pius VII, although their efforts were not completely successful. On the contrary, the traffic in negroes is still carried on by many Christians. We, therefore, condemn, by Our apostolic

² *Ibid.*, 117.

³ December 9, 1843, printed in England's *Works*, V, 107.

authority, all who shall unjustly molest Indians, negroes, and others, or who despoil them and enslave them; who help those who do such things; or who traffic in negroes as though they were animals and who buy, sell and doom them to the most severe labour. We forbid and interdict any ecclesiastic or lay person who shall defend that trade in negroes is lawful under any pretext, or to preach publicly or privately or to teach contrary to those things contained in this Apostolic Letter.

GREGORIUS PP. XVI.

ad futuram rei memoriam.

In supremo apostolatus fastigio constituti, et nullis licet suffragantibus meritis gerentes vicem Iesu Christi Dei Filii, qui propter nimiam charitatem suam homo factus mori etiam pro mundi redemptione dignatus est, ad nostram pastorem sollicitudinem pertinere animadvertimus, ut fideles ab inhumano Nigritarum seu aliorum quorumcumque hominum mercatu avertere penitus studeamus.

§ 1. Sane cum primum diffundi coepit evangelii lux, senserunt alleviari plurimum apud christianos conditionem suam miseri illi, qui tanto tunc numero bellorum praesertim occasione in servitutem durissimam deveniebant. Inspirati enim a divino spiritu apostoli, servos quidem ipsos docebant obedire dominis carnalibus sicut Christo, et facere voluntatem Dei ex animo; dominis vero praecipiebant ut bene erga servos agerent, ut quod iustum est et aequum, eis praestarent ac remitterent minas, scientes quia illorum et ipsorum Dominus est in coelis, et personarum acceptio non est apud eum.⁴ Universim vero cum sincera erga omnes charitas evangelii lege summopere commendaretur, et Christus Dominus declarasset habiturum se tamquam factum aut denegatum sibi ipsi quidquid benignitatis et misericordiae minimis et indigentibus praestitum aut negatum fuisset,⁵ facile inde contigit nedum ut christiani servos suos praesertim christianos veluti fratrum loco haberent, sed etiam ut prouiores essent ad illos qui mererentur libertate donandos; quod quidem occasione imprimis Paschali Solemnium fieri consuevisse indicat Gregorius Nyssenus. Nec defuerunt qui ardentiore charitate excitati *se ipsos in vincula coniecerunt, ut alios redimerent*, quorum multos se novisse testatur apostolicus vir idemque sanctissimae recordationis praecessor noster Clemens I. Igitur progressu temporis ethnicarum superstitionum caligine plenius dissipata, et rudiorum quoque populorum moribus fidei per charitatem operantis beneficio mitigatis, res eo tandem devenit ut iam a pluribus saeculis nulli apud plurimas christianorum gentes servi habeantur. Verum, dolentes admodum

⁴ Ephesians, VI, 5 ff., Colossians, III, 22 ff., IV, 1.

⁵ Matthew, XXV, 35 f.

dicimus, fuerunt subinde ex ipso fidelium numero qui sordidioris lucri cupidine turpiter obcaecati, in dissitis remotisque terris Indos, Nigritas, miserosve alios in servitutem redigere, seu instituto ampliatioque commercio eorum qui captivi facti ab aliis fuerant, indignum horum facinus iuvare non dubitarent.

§ 2. Haud sane praetermiserunt plures glor. mem. Romani pontifices praecessores nostri reprehendere graviter pro suo munere illorum rationem, utpote spirituali ipsorum salutis noxiam, et christiano nomini probrosam; ex qua etiam illud consequi pervidebant, ut infidelium gentes ad veram nostram religionem odio habendam magis magisque obfirmarentur. Quo spectant apostolicae litterae Pauli III. die xxix. maii MDXXXVII. sub Piscatoris annulo datae ad Cardinalem Archiepiscopum Toletanum, et aliae deinceps eisdem ampliores ab Urbano VIII. datae die xxii. aprilis MDCXXXIX. ad collectorem iurium Camerae Apostolicae in Portugallia; quibus in litteris ii nominatim gravissime coercentur, qui occidentales aut meridionales Indos *in servitutem redigere, vendere, emere, commutare vel donare, ab uxoribus et filiis suis separare, rebus et bonis suis spoliare, ad alia loca deducere et transmittere, aut quoque modo libertate privare, in servitute retinere, nec non praedicta agentibus consilium, auxilium, favorem et operam quocumque praetextu et quaesito colore praestare, aut id licitum praedicare seu docere, ac alias quomodolibet praemissis cooperari* auderent seu praesumerent.⁶ Has memoratorum Pontificum sanctiones confirmavit postmodum et renovavit Benedictus XIV. novis apostolicis litteris ad Antistites Brasiliae et aliarum quarundam regionum datis die xx. decembris MDCCXLI., quibus eundem in finem ipsorum praesulum sollicitudinem excitavit.⁷ Antea quoque alius his antiquior praecessor noster Pius II., quum sua aetate Lusitanorum imperium in Guineam Nigritarum regionem proferretur, litteras dedit die vii. octobris MDCCCLXII. ad Episcopum Rubicensem eo profecturum; in quibus nedum Antistiti ipsi opportunas ad sacrum ministerium inibi cum maiori fructu exercendum facultates impertitus fuit, sed eadem occasione graviter in christianos illos animadvertit, qui neophytos in servitutem abstrahabant.⁸ Et nostris etiam temporibus Pius VII. eodem quo sui decessores religionis et charitatis spiritu inductus, officia sua apud potentes viros sedulo interposuit, ut Nigritarum commercium tandem inter christianos omnino cessaret.

§ 3. Hae quidem praecessorum nostrorum sanctiones et curae profuerunt, Deo bene iuvante, non parum Indis aliisque praedictis a crudelitate invadentium seu mercatorum christianorum cupiditate tutandis, non ita tamen ut Sancta haec Sedes de pleno suorum in id studiorum exitu laetari posset; quum immo commercium Nigritarum, etsi nonnulla ex parte imminutum, adhuc tamen a christianis pluribus exerceatur.

⁶ Cf. De Martinis, I, 176-178.

⁸ *Ibid.*, IV, 524-525.

⁷ *Ibid.*, III, 45-47.

Quare nos tantum huiusmodi probrum a cunctis christianorum finibus avertere cupientes, ac re universa nonnullis etiam venerabilibus fratribus nostris S. R. E. Cardinalibus in consilium adhibitis mature perpensa, praedecessorum nostrorum insistentes vestigiis auctoritate apostolica omnes cuiuscumque conditionis Christifideles admonemus et obtestamur in Domino vehementer, ne quis audeat in posterum vexare aut spoliare suis bonis aut in servitutem redigere, vel aliis talia in eos patrantibus auxilium aut favorem praestare, seu exercere inhumanum illud commercium quo Nigritae, tamquam si non homines sed pura putaque animalia forent, in servitutem utcumque redacti, sine ullo discrimine contra iustitiae et humanitatis iura emuntur, venduntur ac durissimis interdum laboribus exantlandis devoventur, et insuper lucri spe primis Nigritarum occupatoribus per commercium idem proposita, dissidia etiam et perpetua quodammodo in illorum regionibus praelia foveantur. Enimvero nos praedicta omnia tamquam christiano nomine prorsus indigna, auctoritate apostolica reprobamus; eademque auctoritate districte prohibemus atque interdicimus, ne quis ecclesiasticus aut laicus ipsum illud Nigritarum commercium veluti licitum sub quovis obtentu aut quaesito colore tueri, aut aliter contra ea quae nostris hisce apostolicis litteris monuimus praedicare seu quomodolibet publice vel privatim docere praesumat.⁹

§ 4. Ut autem eadem hae nostrae literae omnibus facilius innotescant, nec quisquam illarum ignorantiam allegare possit, decernimus et mandamus illas ad valvas Basilicae Principis Apostolorum et Cancellariae Apostolicae, nec non curiae generalis in Monte citatorio, ac in acie campi Florae de Urbe per aliquem ex cursoribus nostris, ut moris est, publicari illarumque exempla ibidem affixa relinqui.

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris die III. dec. MDCCCXXXIX., pontificatus nostri anno IX.

Sources: De Martinis, V, 223-225; England's *Works*, V, 108-110. Translated *ibid.*, 110-112.

⁹ On the problem of slavery, cf. *Civiltà Cattolica* (Rome), VI (1865-1866), 1, p. 427 ff., 662 ff.; Margraf, J., *Kirche und Sklaverei seit der Entdeckung Amerikas* (Tuebingen, 1865); Brandi, *Il Papato e la Schiavitù* (Rome, 1903); Gilligan, F. J., *Morality of the Colored Line: an Examination of the Right and Wrong of the Discriminations against the Negro in the United States* (Washington, 1929).

No. 64.

GREGORY XVI

APRIL 27, 1840

The creation of a diocese in California in 1840 brought to a close a seventy-year period of organized Mission control. Until that year no bishop had ever set foot in California, for the local Franciscan Superiors, beginning with Fra Junipero Serra, possessed faculties to administer the Sacrament of Confirmation and to govern the vast province in practically all ecclesiastical matters. This independence was not to last long. The status of the Missions was fair under Spanish rule which lasted until Mexican independence was declared in 1821. Under the rule of Mexico the Missions were ordered to be secularized and this meant nothing less than confiscation of all Mission property. Matters soon became so intolerable that the Friars planned to abandon California, but finally decided to make one last stand. In place of the Mission system, they petitioned the Holy See to establish a bishopric of Both Californias, although religion in the province was not ripe for such an establishment. Father Diego urged the National Government to present a petition to the Holy See erecting an episcopal See which would include Both Californias in its territory. The Mexican Government after three years of inaction finally selected Father Diego for the new See on June 23, 1839, and shortly after instructed the Mexican Ambassador at Rome to present the petition to the Holy See. The Holy See acted promptly and on April 27, 1840 erected the Diocese of the Two Californias.¹

Summary: 1. The Apostolic solicitude, which We feel for all churches, should be inflamed by the very remoteness of the faithful, and since this centre of Catholicity is so distant from parts of our Flock, We are like a tender mother, who loves those chil-

¹ Engelhardt, *Missions and Missionaries of California* (San Francisco, 1908-1915), IV, 1-200; Geary, G. J., "Transfer of Ecclesiastical Jurisdiction in California (1840-1853)", in *Historical Records and Studies of the United States Catholic Historical Society*, XXII (1932), 101-167. This document is included in the present work, because the transfer of jurisdiction practically coincides with the annexation of California to the United States.

dren far from her with the greater ardor as she sees herself unable to lavish upon them all the services of a special love.

Whilst We had these thoughts in our mind, the Mexican Government humbly begged that We separate California from the Diocese of Sonora and erect there a See to be called the See of California.

Although Sonora was erected in 1779, it soon extended so widely that it not only embraces at present the provinces of Sonora, Ostimuri, and Sinaloa, but the whole immense territory of California. The last named is divided into Old and New California. Both at present constitute one of the Mexican provinces. The many difficulties confronting the Bishop of Sonora make it impossible for him to visit his vast diocese, and convert those who are in darkness. Although Dominicans and Franciscans have spiritual charge of these provinces, they are situated in the farthest part of the Diocese of Sonora, and are, therefore, not assisted by the presence of a bishop.

2. These and other reasons force us to accede to the petition of the Mexican Government. We, therefore, separate the whole California, Old and New, from the Diocese of Sonora. The city of San Diego, We establish as the episcopal city.

3. We command that the principal church in San Diego be raised to the dignity of a cathedral wherein shall be the episcopal See of the Bishop of California.

4. To this church and its bishop We assign the entire Old and New California, as above.

5. For the support of the bishop, We assign as episcopal income the Fund of real estate which the Mexican Government has promised to set apart.

6. For the cathedral church, We assign the Fund which the same Government has promised, and We ordain that a suitable episcopal residence be assigned as soon as possible.

7. The same Government will assign, some time in the future, a Fund for a cathedral chapter, and an ecclesiastical seminary.

8. We command that the California Church be subject to the Metropolitan Archbishop of Mexico.

9. We order that the revenue of the new diocese be taxed as customary for thirty-three and one-third florins (about \$13.50).

10. We bestow upon Emanuel Posada y Cardûno, Archbishop of the Metropolitan Mexican Church all the necessary faculties for carrying out the foregoing dispositions. He shall have the duty of carefully defining the boundaries especially of New California.

GREGORIUS EPISCOPUS.

servus servorum Dei, ad perpetuam rei memoriam.

§ 1. Apostolicam sollicitudinem, qua tenemur omnium ecclesiarum, nullo non modo locorum intervallo aut fidelium longinquitate debilitari et imminui, sed augeri potius, atque inflammari exinde videtur. Cum enim difficiliter remotissimis ovibus ad hoc catholicae unitatis centrum effugium pateat, nec frequentibus eas monitis, consiliis, exhortationibus, spiritualibus denique quibuscumque subsidiis recreare, aut illarum vulneribus peropportune mederi naturali regionum conditione ac distantia queamus, illud profecto nobis usuvenit, quod pientissimae matri a filiis longe seiunctae interdum contingit, quos quidem eo maiori prosequitur caritatis amore, quo minus ad omnia absentibus praestanda praecipuae dilectionis officia se parem animadvertit. Hinc non tantum coelestium benedictionum cumulum huiusmodi gregis parti, quam in animo gerimus, quotidie precamur, sed nihil insuper infectum relinquimus, quod spirituali eiusdem saluti aliquatenus benevertat. Haec nobis assidua mente revolventibus, qui in Mexicana Americae septemtrionalis ditione rerum summa potiuntur, humillime supplicarunt, ut a dioecesi de Sonora, intra limites eiusdem Mexicanae ditionis posita, Californiam avellere, atque inibi sedem episcopalem Californiensem nuncupandam erigere, eidemque proprium praeficere Episcopum apostolica auctoritate vellemus. Licet enim Sonorensis dioecesis origo non sit altius repetenda anno MDCCLXXIX. eademque ex apposita finitimarum dioecesium de Guadalaxara ac de Durango dismembratione coaluerit, nihilo tamen secius territorium illud tam late protenditur, ut non modo ingentes provincias, de Sonora, Hostimuri et Cinaloa, sed universam insuper Californiam vastissimo sane ambitu concludat. Haec vero, quae septingentas, uti ferunt, excedit leucas, in veterem ac novam dividitur; illa Peninsulam Californiam complectitur, quam veteres rerum naturalium scriptores insulam esse maluerunt; ista autem per istum quemdam ignotum veteri Californiae coniungitur ac consociatur; ambae vero unam ex Mexicanis provinciis in praesentiarum constituunt. Quod si mens convertatur ad maximam viarum asperitatem, ad praecipites fluminum cursus, quae traieci interdum nequeunt, atque insuper ad ingentium montium catenam, quos sylvestres homines incolunt, plane apparebit, Sonorensem Episcopum hisce de causis praepediri quominus gregem suae fidei traditum ea quae caeteroquin necessario foret, utilitate regat ac moderetur, integram dioecesim perlustret, atque in eorum conversionem totus incumbat, quos Evangelii luce carentes, densissimis errorum tenebris involutos vehementer ingemiscimus. Quo teterrimo

omnium malo peculiarem in modum tum vetus, tum nova California laborat. Quamvis enim missionarii ex Ordine Sancti Dominici ac Sancti Francisci spiritualem illarum curam gerant, utraque tamen in extrema Sonorensis dioeceseos parte sita est, neque idcirco Pastoris praesentia iuvatur, qui potens opere ac sermone plebem verbo aedificet atque exemplo, depravata corrigat, disrupta consolidet, debiles in fide confirmet, coecos illuminet.

§ 2. Haec aliaque rationum momenta a Gubernos Mexicanae ditionis per suum apud Apostolicam Sedem negotiorum gerem allata tanti ponderis apud nos fuerunt, ut, omnibus matura deliberatione perpensis, inspectaque maxima rei utilitate, porrectis postulationibus libentissime obsecundaremus. Itaque ex certa scientia, apostolicae potestatis plenitudine, ac etiam motu proprio, consensui ven. fr. Lazzari de la Garza hodierni Episcopi de Sonora, aliorumque quorum interesse potest, derogantes, universam praedictam Californiam, tam veterem, scilicet, quam novam, una cum omnibus et singulis paroeciis, ecclesiis, conventibus et monasteriis, aliisque quibuscumque saecularibus ac quorumvis ordinum regularibus beneficiis, ibidem forsitan existentibus, itemque utriusque sexus personis, habitatoribus, et incolis tam laicis, quam clericis presbyteris, beneficiatis ac religiosis cuiuscumque gradus, status, ordinis et conditionis ibi pariter degentibus, a dioecesi de Sonora, ad quam spectabant, perpetuo dismembramus, secernimus, separamus; terram insuper seu civitatem a S. Didaco nuncupatam in nova California existentem, quae in media California posita est quaeque praeceteris locis aptior dignoscitur, cum suis curia et cancellaria ecclesiastica, cum omnibus ac singulis honoribus, iuribus, privilegiis et praerogativis quibus caeterae civitates pontificali sede in Mexicana ditione insignitae earumque cives utuntur et gaudent, in civitatem episcopalem erigimus atque instituimus.

§ 3. Ecclesiam maiorem in praefata terra Sancti Didaci in civitatem erectam, ad honorem et dignitatem ecclesiae cathedralis evehi atque attolli, et in ea sedem atque cathedram pontificalem pro uno deinceps Episcopo Californiensi nuncupando, qui eidem ecclesiae, civitati et dioecesi infra assignandae, eiusque clero et populo praesit, synodum convocet, atque omnia et singula iura, officia ac munia episcopalia habeat atque exerceat cum suis capitulo, arca, sigillo, mensa, ut infra constituenda, ceterisque cathedralibus et pontificalibus insigniis, iuribus, honoribus, praeeminentiis, gratiis, favoribus, indultis, iurisdictionibus et praerogativis, quibus reliquae cathedrales ecclesiae Mexicanae ditionis earumque praesules potiuntur, dummodo ex peculiari indulto seu privilegio non sint eis attributa, perpetuo pariter erigi atque institui mandamus.

§ 4. Cathedrali ecclesiae Californiensi hoc modo erectae ut propria deinceps dioecesis tribuatur, illius Antistiti universam novam ac veterem Californiam a Sonorensi dioecesi ut supra avulsam et disiunctam pro

diocesi novi episcopatus Californiensis adiudicamus et adsignamus, quam quidem Californiam sic attributam atque adsignatam ac in ea existentes seu existentia paroecias, ecclesias, conventus, monasteria et quaecumque alia saecularia ac quorumvis ordinum regularia beneficia, utriusque sexus personas et incolas tam clericos quam laicos, non tamen exemptos, cuiuscumque gradus ordinariae novi pro tempore existentis Antistitis ecclesiae Californiensis iurisdictioni, regimini, potestati ac superioritati perpetuo similiter subiicimus, eique pro civitate, territorio, dioecesi, clero et populo perpetuum pariter in modum adsignamus atque attribuimus.

§ 5. Ut autem futurus pro tempore existens Episcopus Californienis suam possit decenter tueri dignitatem et Vicario Generali, curiaeque episcopali apte providere, congruam in bonis stabilibus dotem, quam Mexicanum gubernium ex data fide constituet, mense episcopali adscribimus atque attribuimus.

§ 6. Quod vero attinet ad fabricam novae cathedralis ecclesiae Californiensis, eam similiter dotem pro illius manutentione perpetuum in modum adscribimus atque adiudicamus, quam idem gubernium se traditurum spondit, proprias aedes pro futuri Episcopi habitatione eiusque curiae episcopalis residentia decente forma et commodo loco et proximiores quantum fieri poterit ecclesiae cathedrali, quamprimum adsignari atque attribui volumus: quae si modo desint easque conduci oporteat, rationem pensionis pro illarum conductione solvendae habendam esse decernimus.

§ 7. Quod spectat ad erectionem capituli cathedralis ecclesiae, eiusque dotationem similiter in bonis stabilibus nec non ad erectionem ac dotationem ecclesiastici clericorum seminarii, memoratum gubernium, cum primum pro locorum ac temporum adiunctis datum fuerit, id omne praestabit, quod aliis capitulis cathedralibus et seminariis ecclesiasticis Mexicanae ditionis tribui solet.

§ 8. Praefatam Ecclesiam Californiensem sic constitutam Archiepiscopo Mexicano metropolitico iure subiici mandamus, iisque omnibus frui statuimus facultatibus, exemptionibus et iuribus, quae ad caeteras suffraganeas metropolitanae Mexicanae ecclesiae pertinent.

§ 9. Fructus vero eiusdem novae Ecclesiae Californiensis de more taxari ad florenos auri de Camera triginta tres ac tertiam floreni partem, atque huiusmodi taxam in libris camerae apostolicae et sacri Collegii describi iubemus.

§ 10. Ut vero cuncta a nobis ut supra disposita ad suum perducantur effectum, venerabili fratri Emmanueli Posada y Garduno metropolitanae ecclesiae Mexicanae Archiepiscopo, quem harum nostrarum litterarum exequutorem eligimus ac deputamus, necessarias omnes et opportunas ad praemissorum effectum plenarie consequendum tribuimus facultates, ut ipse per se vel per aliam personam in ecclesiastica dignitate constitutam ab eo subdelegandam omnia statuere ac decernere valeat atque etiam

cum facultate eidem exequutori, sive eius subdelegato, definitive libere ac licite pronunciandi super quacumque oppositione in actu executionis quomodolibet forsitan oritura, iniunctaque ipsi obligatione diligentes in decreto exequutoriali describendi fines praesertim novae Californiae ac mittendi ad Apostolicam Sedem intra sex menses ab expleta litterarum apostolicarum exequutione exemplar authentica forma exaratum decretorum omnium, quae in harum litterarum exequutionem emittet, ut in tabulario Congregationis rebus consistorialibus praepositae de more asservetur.

§ 11. Praesentes autem literas, et in eis contenta quaecumque, etiam ex eo quod quilibet interesse habentes, vel habere praetendentes, vocati et auditi non fuerint, ac praemissis non consenserint, eorum consensui, quatenus opus sit, de apostolicae potestatis plenitudine supplentes, nullo unquam tempore de subreptionis vel obreptionis aut nullitatis vicio, seu intentionis nostrae vel aliquo alio etiam substantiali defectu notari, impugnari aut in eis controversiam vocari posse, sed semper et perpetuo validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac ab omnibus ad quos spectat, inviolabiliter observari debere volumus atque decernimus.

§ 12. Non obstantibus de iure quaesito non tollendo, de suppressionibus committendis ad partes, vocatis quorum interest, aliisque nostris et cancellariae apostolicae regulis ac in synodalibus, provincialibus universalibusque conciliis editis specialibus ac generalibus constitutionibus et ordinationibus apostolicis, et quibusvis aliis Romanorum Pontificum praedecessorum nostrorum dispositionibus, caeterisque contrariis quibuscumque.

§ 13. Volumus praeterea ut harum litterarum transumptis etiam impressis, manu tamen alicuius notarii publici subscriptis, et sigillo personae in ecclesiastica dignitate constitutae munitis, eadem prorsus fides adhibeatur, si forent exhibitae vel ostensae.

§ 14. Nulli ergo omnino hominum liceat hanc paginam nostrarum dismembrationis, seiunctionis, separationis, erectionis, institutionis, assignationis, attributionis, subiectionis, concessionis, indulti, decreti, derogationis et voluntatis infringere, vel ei ausu temerario contraire. Si quis autem hoc attentare praesumpserit, indignationem omnipotentis Dei ac beatorum Petri et Pauli Apostolorum eius se noverit incursurum.

Datum Romae, apud S. Petrum anno Incarnationis dominicae millesimo octingentesimo quadragésimo, quinto kalendas maias, pontificatus nostri anno decimo.

Sources: De Martinis, V, 233-235. Translated in Engelhardt, IV, 195-200.

No. 65.

GREGORY XVI

DECEMBER 19, 1840

The Fourth Provincial Council of Baltimore opened May 17, and closed on May 24, 1840. The Council was the largest held up to that time being attended by Archbishop Eccleston and his eleven suffragans.¹ The most important decrees of the Council were those in which the Holy See was asked to appoint a bishop for the See of Richmond² and to confirm a new mode of securing Church property; the question of the education of Catholic children in public schools was touched upon,³ and it was decided to refuse the Sacraments to Catholics who belonged to secret societies forbidden by the Church. In their letter of May 24, 1840, to Gregory XVI, the Fathers of the Council spoke of the persecution of the Church in Italy, Poland, China, and the Hawaiian Islands and consoled the Supreme Pontiff with the assurance of the eventual triumph of the Church over her enemies.⁴ Gregory XVI answered this letter of the Council on December 19, 1840.

Summary: We have received the many letters which you have written to Us at the close of the Fourth Provincial Council of Baltimore (1840), in order to show your reverence towards the Holy See, to console Us, and to submit the decrees of the Council to the See of Peter for approval or emendation and to ask for certain privileges. The Congregation will make known to you Our mind regarding these matters.

We cannot refrain from praising you for again meeting in Coun-

¹ *CBH*, 160-161; Charles August M. Joseph de Forbin Janson, Bishop of Nancy and Toul, and Primate of Lorraine, was likewise present and he was conceded a deliberative vote.

² Cf. Document 36, note 5, and Document 55. Richard Whelan was elected Bishop of Richmond; John Chanche was appointed to the See of Natchez (vacant since its founding in 1837), and John B. Odin was appointed Administrator of Detroit. Letter of Propaganda to Eccleston, December 19, 1840, in *CBH*, 186-188.

³ The decree of the Sacred Congregation concerning Catholic children attending public schools is given in Document 150.

⁴ This letter is printed in *CBH*, 175-179.

cil to safeguard the discipline of the clergy, to foster piety among the faithful, and to take means for forming in Catholic children solid virtue and the true Faith. Most willingly do We take cognizance of the zeal with which you have been inflamed in your conciliar deliberations. We do not cease to recommend you and your flocks to God nor do We doubt that you likewise pray God the Omnipotent to strengthen our weakness in these most difficult times.

*Venerabilibus fratribus Samueli Archiep. Baltimorensi et eius
suffraganeis,*

GREGORIUS PP. XVI.

Venerabiles fratres, salutem et apostolicam benedictionem.

Plures accepimus literas, quas in exitu Concilii provincialis Baltimorensi IV. a vobis mense maio celebrati, ad nos dedistis,⁵ tum ut vestrum erga personam humilitatis nostrae Sanctamque hanc Sedem obsequium repetitâ, una omnes, declaratione confirmaretis, nostrumque animum ex afflictis non uno in loco Ecclesiae rebus sollicitum vehementerque dolentem amantissime consolaremini; tum vero ut de omnibus Concilii actis more maiorum ad supremam Petri Sedem referentes, enixe precaremini, ut decreta in illo edita probare vel etiam, ubi opus fuerit, emendare velimus, atque insuper nonnulla indulgere ac decernere, quae vobis istie in religionis bonum cessura visa sunt. Iam vero ad memoratas petitiones vestras responsum accipietis per nostram Propagandae Fidei Congregationem, cui Concilii acta cognoscenda mandavimus ac nostram super illis mentem significavimus. Et habebitis quidem in eiusdem Congregationis literis novum documentum singularis benevolentiae, qua vos, venn. fratres, ecclesiasque vestras impense prosequimur.⁶ Verum abstinere non possumus, quominus hae etiam nostrâ epistolâ meritis celebremus laudibus pastorem sollicitudinem, qua inducti rursus ex canonum praescripto convenistis in unum, et invocato lumine Spiritus Sancti, consiliisque invicem communicatis, tueri studuistis cleri disciplinam, et pietatem fovere fidelis populi, atque adeo convellere vitiorum germina, seductionis pericula propulsare, ac prospicere ut pueri puellaeque ad veram fidem solidamque virtutem accuratius informentur; denique vos ipsos excitare ad Ecclesiae iura sarta tecta servanda, et partes vestri muneris in animarum salutem alaeriori usque

⁵ The *Acta et Decreta* of the Council together with the responses of the Holy See are given in *CBH*, 159-203; *BCPF*, V, Appendix, 51-84; *Coll. Lac.*, III, 65-84.

⁶ The Decree of the Sacred Congregation *Circa ecclesiastica bona tuto servanda* (*CBH*, 198-203), was so complicated that it was eventually modified in the Fifth Provincial Council of 1843 (First Decree *ibid.*, 216).

sedulitate implendas. Profecto in iis, quae in Synodo a vobis gesta scriptaque sunt, libentissime recognovimus zelum, quo inflammati estis, ut de Catholicâ Ecclesiâ, de S. hac Sede, ac de vestris dioecesibus bene mereamini. Hinc autem firmiori vobiscum spe nitimur fore, ut Deo bene iuvante floreat istic quotidie magis religio nostra sanctissima, et merito iuxta atque numero catholicus populus augeatur. Nos interea, licet indigni, non desistimus fraternitates vestras creditosque vobis greges Deo et Verbo gratiae ipsius suppliciter commendare, nec dubitamus quin vos pariter minime intermittatis Patrem misericordiarum per Iesum Christum filium suum fervidis precibus obsecrare, ut infirmitatem nostram difficillimis hisce temporibus sub immenso supremi apostolatus pondere laborantem omnipotenti suâ virtute sustentet, omnesque actus nostros dirigat atque ad bonum exitum adducat. Denique nostrae in vos propensissimae voluntatis pignus adiungimus apostolicam benedictionem, quam ex imo corde depromptam vestrum singulis atque istarum ecclesiarum clericis laicisque fidelibus universis peramanter impertimur.

Datum Romae apud S. Petrum sub annulo Piscatoris die xix. dec. anni MDCCCXL., pontificatus nostri anno x.

Sources: De Martinis, V, 258-259; *BCPF*, V, 223-224; Mansi, XXXIX, 373-374; Hernaez, II, 774; *CBH*, 184-186.

No. 66.

GREGORY XVI

JULY 16, 1841

In 1838, Rev. John Timon was sent by Bishop Blanc of New Orleans to examine and report on conditions of the Church in Texas. His report showed that although there were a number of Catholics in the newly-founded Republic, only two priests were found in the entire territory, and the church at San Antonio de Bexar, Refugio, and Nacogdoches, were either bought up by Protestant ministers or in a deplorable state. When this information was laid before the Holy See, Gregory XVI with the advice of the Sacred Congregation decided to establish a distinct jurisdiction in Texas.¹

Summary: We have realized how useful it would be for the good

¹ Texas was admitted to the Union on December 29, 1845.

of the Faith, if a bishop vicar-apostolic were placed over the province of Texas which heretofore has been ruled by a prefect-apostolic.

Therefore, We erect the aforesaid province of Texas into a separate and distinct vicariate-apostolic.

GREGORIUS PP. XVI.

ad perpetuam rei memoriam.

Universi dominici gregis salus nobis ab ipso pastorum Principe et Episcopo animarum divinitus commissa atque concredita postulat atque efflagitat, ut omni curâ et contentione ea peragere non omittamus, quae ad maiorem Christifidelium utilitatem procurandam pertinere posse cognoscimus.

§ 1. Itaque, cum in praesentibus rerum ac temporum adiunctis Catholicae Religionis bono plurimum expedire noverimus, si in Texensi provinciâ, vulgo Texas, cuius regimen ecclesiasticum simplici hactenus presbytero praefecti apostolici titulum habenti fuit commissum, Vicarius Apostolicus episcopali dignitate insignitus constituatur, qui ampliore auctoritate in illâ regione ecclesiae negotia gerenda curet, de venn. fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum consilio, provinciam ipsam Texensem in peculiarem ac distinctum Vicariatum Apostolicum erigendam censuimus.

§ 2. Motu igitur proprio atque ex certâ scientiâ et maturâ deliberatione nostrâ, deque apostolicae potestatis plenitudine, harum literarum tenore, ipsam provinciam Texensem in peculiarem ac distinctum Vicariatum Apostolicum erigimus et constituimus. Ipsi autem Vicario ab hac Apostolicâ Sede adlegendo omnes et singulas facultates huiusmodi Vicariis Apostolicis concedi solitas eâdem auctoritate nostrâ concedimus et impertimur.²

§ 3. Haec statuimus atque decernimus volentes has praesentes literas semper firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, atque iis, ad quos spectat ac in posterum spectabit, plenissime suffragari et ab omnibus inviolabiliter observari; sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii apostolici auditores et S. R. E. Cardinales, sublatâ eis et eorum cuilibet quavis aliter iudicandi et interpre-

² John Mary Odin was appointed Vicar-Apostolic of Texas. He was born at Hauteville, Ambierle, France, on February 25, 1801, came to the United States in 1822, was ordained in 1824 and was consecrated titular Bishop of Claudopolis and Vicar-Apostolic of Texas on March 6, 1842. With the establishment of the Vicariate into the Diocese of Galveston, on April 23, 1847, Odin became the first Bishop of the See. He was transferred to the metropolitan See of New Orleans in 1861 and died on May 26, 1870. Clarke, *Lives of Deceased Bishops*, II, 203 ff.; Shea III, IV, *passim*.

tandi facultate et auctoritate, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.⁴

§ 4. Non obstantibus nostrâ et Cancellariae Apostolicae regulâ de iure quaesito non tollendo, aliisque constitutionibus et sanctionibus apostolicis, ceterisque etiam speciali et expressâ mentione ac derogatione dignis, in contrarium facientibus quibuscumque.

Datum Romae, apud S. Mariam Maiorem, sub annulo piscatoris die XVI. iulii MDCCCXLI., pontificatus nostri anno XI.

Sources: De Martinis, V, 276-277; *BCPF*, V, 265-266; Hernaez, II, 795.

No. 67.

GREGORY XVI

AUGUST 11, 1843

Catholicity in Western Pennsylvania had been established at an early date through the labors of Recollect and Jesuit missionaries. Later it became the scene of the labors of the famous Demetrius Augustine, Prince Gallitzin who acted as Vicar-General of Western Pennsylvania. Bishop Kenrick made a visitation of the territory soon after his appointment to the coadjutorship of Philadelphia, and from that time on he urged the Fathers of the Councils of Baltimore to petition the Holy See for a Diocese in Western Pennsylvania. Due mainly to the opposition of Bishop England, the division of the Diocese of Philadelphia was postponed until the Fifth Provincial Council in 1843, when a petition for a new See at Pittsburgh was laid before the Sacred Congregation.¹

Summary: The bishops, gathered together in the Fifth Provincial Council of Baltimore, among other things considered how the good of religion might better be served in that vast region of Pennsylvania. They have come to the conclusion that the faithful would be benefitted if a diocese, distinct from Philadelphia, were erected in the western part of the State. The matter was referred to the

² *History of the Diocese of Galveston* (Galveston, 1922); Shea III, IV, *passim*.

¹ Shea III, *passim*; Lambing, *History of the Diocese of Pittsburgh and Allegheny* (New York, 1880).

Sacred Congregation and the Bishop of Philadelphia consented to the separation of Western Pennsylvania from his diocese.

Therefore, We hereby separate Western Pennsylvania from the Diocese of Philadelphia according to the civil divisions of the State and erect it into a separate diocese, whose episcopal See shall be in the city of Pittsburgh and shall be suffragan to Baltimore, and whose cathedral church shall be that of St. Paul the Apostle in the same city.

GREGORIUS PP. XVI.

ad perpetuam rei memoriam.

Universi dominici gregis curam ac sollicitudinem superno nobis consilio commissam gerentes, dioecesum per universum orbem descriptioni cogitationes curasque nostras intendere debemus, ut earum fines immutemus vel coarctemus, prout rerum ac temporum ratio ac fidelium utilitas exquirere videatur.

§ 1. Itaque quum in Concilio quinto Baltimorensi habito mense maio anni MDCCCXLIII., cetera inter negotia ad Religionis Catholicae bonum in foederatis Americae septentrionalis provinciis promovendum, de ratione quoque actum fuerit, qua in vastissimo Pensylvaniae statu religionis necessitati atque incremento constanter prospici possit, cumque collatis inter se consiliis Episcopi omnes in Concilium coacti, interque illos praecipue ven. frater Franciscus Patritius Kenrick Philadelphien- sis Episcopus, nobis exponendum iudicaverint, fidelium bono valde expedire, ut Pensylvania occidentalis, secundum limites civili divisione receptos, in peculiarem dioecesim a Philadelphien- si distinctam erigatur: nos tanti momenti rem venn. fratribus nostris S. R. E. Cardinalibus negotiis Propagandae Fidei praepositis examinandam commisimus. Rebus itaque mature perpensis, atque habitâ ratione consensus Episcopi Philadelphien- sis super memoratae regionis Pensylvaniae a suâ sede episcopali separatione, de eorumdem fratrum consilio memoratam episcopatus erectionem perutilem cognovimus.

§ 2. Motu igitur proprio et ex certâ scientiâ, deque apostolicae potestatis plenitudine Pensylvaniam occidentalem iuxta limites civili divisione receptos a diocesi Philadelphien- si perpetuo separantes, eam in peculiarem episcopatum, cuius episcopalis sedes in Pittsburgensi civitate constituatur, ac suffraganea sit Archiepiscopalis Baltimorensis donec aliter statuatur, cuiusque titulus a praedictâ Pittsburgensi urbe derivetur, et cathedralem habeat S. Pauli Apostoli ecclesiam in eâdem urbe iamdiu conditam, vi praesentium literarum erigimus et constituimus.²

² Michael O'Connor was appointed first Bishop of the new See. He was born at Queenstown, Ireland, on September 27, 1810, was ordained in 1833

§ 3. Decernentes has literas firmas, validas et efficaces existere et fore suosque plenarios et integros effectus sortiri et obtinere, et omnia iuxta praemissa accurate adimpleri, sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii apostolici auditores, et S. R. E. Cardinales, sublatâ eis et eorum cuilibet quavis aliter iudicandi et interpretandi facultate et auctoritate, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate, scienter vel ignoranter, contigerit attentari.

§ 4. Non obstantibus constitutionibus et ordinationibus apostolicis, nec non apostolicis literis datis die XVII. iunii anno MDCCCXXXIV., quarum initium *Benedictus Deus*, nec non praedictae Philadelphiensis ecclesiae etiam iuramento, confirmatione apostolica, aut quavis firmitate aliâ roboratis statutis et consuetudinibus, caeterisque contrariis quibuscumque.

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris die XI. augusti MDCCCLIII., pontificatus nostri anno XIII.

Sources: De Martinis, V, 318; Hernaez, II, 795.

No. 68.

GREGORY XVI

NOVEMBER 28, 1843

Due to the great increase of the faithful since the previous Provincial Council (1840), the Bishops of the Fifth Provincial Council of Baltimore petitioned the Roman Pontiff for the establishment of four new episcopal Sees at Hartford, Milwaukee, Chicago, and Little Rock. The Holy See responded favourably to this request and Cardinal Franson, Prefect of the Propaganda, wrote to Archbishop Eccleston, on September 30, 1843, that the decree establishing the four new Sees had been approved by Gregory XVI.¹ The following four Documents refer to the establishment of the Sees.

Summary: The Fathers of the Fifth Provincial Council of Bal-

and came to the United States in 1839. Bishop Kenrick appointed him Vicar-General for Western Pennsylvania. He was consecrated on August 15, 1843. He resigned his See in 1860 and entered the Society of Jesus at Woodstock, Maryland, where he died on October 18, 1872. Lambing, *op. cit.*, *passim*.

¹ This letter is given in *CBH*, 226-227.

timore have decided that the good of religion demands the erection of four new episcopal Sees in the United States. Of these, the Diocese of Hartford is one. Having referred the matter to the Cardinals of the Propaganda, and on their advice, We, hereby, erect the above-mentioned Diocese of Hartford, which shall embrace the territory of Connecticut and Rhode Island. The episcopal See shall be in the city of Hartford.

GREGORIUS PP. XVI.

ad perpetuam rei memoriam.

In suprema militantis Ecclesiae specula, Deo sic volente, collacati, atque universi dominici gregis curam gerentes, eo intendere studia Nostra debemus, ut novas per terrarum orbem dioceses constituamus, prout rerum ac temporum ratio ferat, quo pluribus constitutis pastoribus, rectius atque expeditius christiani gregis incolumitati consulatur. Quocirca cum in concilio V Baltimorensi, habito mense maio anno millesimo octingentesimo quadragesimo tertio, inter cetera illud quoque e re catholica esse iudicatum fuerit, ut ad stabilius confirmandam ac latius proferendam christianam fidem in foederatis Americae septentrionalis regionibus, quatuor novae episcopales sedes erigantur, quarum una Hartfordiae constituatur, cuius dioecesis status Connecticut et Rhode-Island complectamur; Nos tanti momenti rem venerabilibus fratribus Nostris Sanctae Romanae Ecclesiae cardinalibus negotiis Propagandae Fidei praepositis perpendendam commisimus. Matura igitur deliberatione adhibita, de eorundem fratrum consilio, memoratam Hartfordiae² episcopatus erectionem utilem cognovimus. Motu igitur Proprio et ex certa scientia, deque apostolicae potestatis plenitudine, novam episcopalem sedem Hartfordiae, cuius dioecesis territorium Connecticut et Rhode-Island complectatur cuiusque titulus a dicta Hartfordiae urbe derivetur, vi praesentium literarum erigimus et constituimus.³

Decernentes has praesentes literas firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac illos ad quos spectat et spectabit hoc futurisque temporibus plenissime suffragari. Contrariis non obstantibus quibuscumque.

² The first Bishop of Hartford, William Tyler, was born at Derby, Vermont, on June 5, 1806. He was ordained to the priesthood in 1828, was consecrated on March 17, 1844, and died at Providence, R. I., on June 18, 1849. Shea IV, *passim*.

³ Cf. *History of the Catholic Church in New England* (Boston, 1899). Shea IV, *passim*.

Datum Romae apud s. Petrum sub annulo piscatoris die vigesima octava novembris, millesimo octingentesimo quadragesimo tertio, pontificatus Nostri anno decimo tertio.

Source: *Acta Gregorii Papae XVI*, III, 303.

No. 69.

GREGORY XVI

NOVEMBER 28, 1843

Summary: The Fathers of the Fifth Provincial Council of Baltimore have arrived at the conclusion that there should be erected in the United States four new episcopal Sees, of which Milwaukee is one. Having referred the matter to the Cardinals of the Propaganda, and on their advice, We, hereby, erect the above-mentioned diocese, which shall embrace the territory of Wisconsin. The episcopal See shall be in the city of Milwaukee.

GREGORIUS PP. XVI.

ad perpetuam rei memoriam.

In suprema militantis Ecclesiae specula, Deo volente, collocati, atque universi dominici gregis curam gerentes, eo intendere studia Nostra debemus, ut novas per terrarum orbem dioeceses constituamus, prout rerum ac temporum ratio ferat, quo pluribus constitutis pastoribus, rectius atque expeditius christiani gregis incolumitati consulatur. Quocirca cum in Concilio V Baltimorensi, habito mense maio anno millesimo octingentesimo quadragesimo tertio inter cetera illud quoque e re catholica esse iudicatum fuerit, ut ad stabilius confirmandam fidem in foederatis Americae septentrionalis regionibus, quatuor novas episcopales sedes erigantur, quarum una Milovanchiae¹ statuatur, cuius dioecesis territorium Wisconsin complectatur, Nos tanti momenti rem venerabilibus fratribus Nostri Sanctae Romanae Ecclesiae cardinalibus, negotiis Propagandae Fidei praepositis, perpendendam commisimus. Matura igitur deliberatione adhibita, de eorundem fratrum consilio, memoratam Milovanchiae episcopatus erectionem utilem cognovimus. Motu igitur Proprio et ex certa scientia, deque apostolicae potestatis plenitudine, novam episcopalem sedem Milovanchiae, cuius dioecesis territorium Wisconsin complectatur, cuiusque titulus a dicta Milo-

¹ The Fathers decided in the Second Private Session to petition the Holy See for the establishment of the diocese. *CBH*, 212.

vanchiae² urbe derivetur, vi praesentium literarum erigimus et constituimus.³

Decernentes has praesentes literas firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac illos ad quos spectat et spectabit, hoc futurisque temporibus, plenissime suffragari. Contrariis non obstantibus quibuscumque.

Datum Romae apud s. Petrum sub annulo piscatoris die vigesima octava novembris millesimo octingentesimo quadragesimo tertio, pontificatus Nostri anno decimo tertio.

Source: *Acta Gregorii XVI*, III, 303.

No. 70.

GREGORY XVI

NOVEMBER 28, 1843

Summary: The Fathers of the Fifth Provincial Council of Baltimore have decided that the good of religion demands the erection in the United States of four new episcopal Sees, of which Chicago is one. Having referred the matter to the Cardinals of the Propaganda, and on their advice, We, hereby, erect the above-mentioned Diocese of Chicago, whose territory shall embrace the State of Illinois. The episcopal See shall be in the city of Chicago.

GREGORIUS PP. XVI.

ad perpetuam rei memoriam.

In suprema militantis Ecclesiae specula, Deo sic volente, collocati atque universi dominici gregis curam gerentes, eo intendere studia Nostra debemus, ut novas per terrarum orbem dioecesis constituamus, prout rerum ac temporum ratio ferat, quo pluribus constitutis pastoribus, rectius atque expeditius christiani gregis incolumitati consulatur. Quocirca cum in Concilio V Baltimorensi, habito mense maio anno millesimo octingentesimo quadragesimo tertio, inter cetera illud

² The first Bishop of Milwaukee was John M. Henni. He was born at Misanenga, Switzerland, on June 15, 1805, came to America in 1828 and was ordained in 1829. He was consecrated bishop on March 19, 1844. He became the first Archbishop of Milwaukee in 1875 and died on September 7, 1881. Clarke, *Lives of Deceased Bishops*, III, 324-338; Shea IV, *passim*; Marty, *Johann Martin Henni, erster Bischof und Erzbischof von Milwaukee* (New York, 1888).

³ Cf. Sullivan, *Catholic Church in Wisconsin* (Milwaukee, 1895); Haug, *Geschichte der katholischen Kirche in Wisconsin* (Milwaukee, 1899).

quoque e re catholica esse iudicatum fuerit, ut ad stabilius confirmandam ac latius proferendam christianam fidem in foederatis Americae septentrionalis regionibus, quatuor novae episcopales sedes erigantur, quarum una Chichagiae statuatur, cuius dioecesis statum Illinois comprehendat; Nos tanti momenti rem venerabilibus fratribus Nostri Sanctae Romanae Ecclesiae cardinalibus Propagandae Fidei praepositis perpendendam commisimus. Matura igitur deliberatione adhibita, de eorundem fratrum consilio, memoratam Chichagiae episcopatus erectionem utilem cognovimus. Motu igitur Proprio et ex certa scientia, deque apostolicae potestatis plenitudine novam episcopalem sedem Chichagiae¹ cuius dioecesis territorium Illinois complectatur cuiusque titulus a dicta Chichagiae urbe derivetur, vi praesentium literarum erigimus et constituimus.²

Decernentes has praesentes literas firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac illos ad quos spectat et spectabit hoc futurisque temporibus plenissime suffragari. Contrariis non obstantibus quibuscumque.

Datum Romae apud S. Petrum sub annulo piscatoris die vigesima octava novembris millesimo octingentesimo quadragésimo tertio, pontificatus Nostri anno decimo tertio.

Sources: *Acta Gregorii XVI*, III, 304; Hernaez, II, 797.

No. 71.

GREGORY XVI

NOVEMBER 28, 1843

Summary: The Fifth Provincial Council of Baltimore came to the conclusion that, for the good of the Faith in America, four new dioceses should be erected, of which Little Rock is one. Having referred the matter to the Sacred Congregation and following their counsel, We, hereby, constitute the new episcopal See of Little Rock, whose diocese shall embrace the State of Arkansas.

¹ The first Bishop of Chicago, William Quarter, was born at Killurine, Ireland, in January, 1806, ordained in 1829, and was consecrated on March 10, 1844. He died in Chicago, on April 10, 1848. McGirr, *Life of Bishop Quarter* (New York, 1850); Shea IV, *passim*.

² For the history of the diocese, cf. Garraghan, *Catholic Church in Chicago* (1673-1871), (Chicago, 1921); Shea IV, *passim*. Chicago became a metropolitan See in 1880. Cf. Document 153.

GREGORIUS PP. XVI.

ad perpetuam rei memoriam.

In supremâ militantis Ecclesiae speculâ, Deo sic volente, collocati, atque universi dominici gregis curam gerentes, eo intendere studia nostra debemus, ut novas per terrarum orbem dioecesis constituamus, prout rerum ac temporum ratio ferat, quo pluribus constitutis pastoribus, rectius atque expeditius christiani gregis incolumitati consulatur.

§ 1. Quocirca cum in Concilio V. Baltimorensi mense maio anno MDCCCLXIII. inter cetera illud quoque e re catholicâ esse iudicatum fuerit, ut ad stabilius confirmandam ac latius proferendam christianam fidem in foederatis Americae septemtrionalis regionibus quatuor novae episcopales sedes erigantur, quarum una Petriculae seu Little-Rock statuatur,¹ cuius dioecesis statum Arkansas comprehendat, nos tanti momenti rem venn. fratribus nostris S. R. E. Cardinalibus negotiis Propagandae Fidei praepositis perpendendam commisimus. Maturâ igitur deliberatione adhibitâ, de eorundem fratrum consilio memoratam Petriculae episcopatus erectionem utilem cognovimus.

§ 2. Motu igitur proprio et ex certâ scientiâ, deque apostolicae potestatis plenitudine novam episcopalem sedem Petriculae seu Little-Rock,² cuius dioecesis statum Arkansas complectatur, cuiusque titulus a dicta Petriculae urbe derivetur, vi praesentium literarum erigimus, et constituimus.

§ 3. Decernentes has praesentes literas firmas, validas et efficaces existere ac fore, suosque plenarios et integros effectus sortiri et obtinere, ac illos ad quos spectat et spectabit, hoc futurisque temporibus, plenissime suffragari. Contrariis non obstantibus quibuscumque.³

Datum Romae apud S. Petrum sub annulo Piscat., die xxviii. nov. MDCCCLXIII., pontificatus nostri anno xiii.

Sources: De Martinis, V, 319; Hernaez, II, 797.

¹ The founding of the Diocese of Little Rock was decided at the Second Private Session of the Fifth Provincial Council of Baltimore. *CBH*, 212.

² The first Bishop of Little Rock was Andrew Byrne. He was born at Navan, County Meath, Ireland, on December 5, 1802, came to Charleston, S. C., in 1820, where he was ordained to the priesthood in 1827, and was consecrated bishop on March 10, 1844. He died on June 10, 1862. Clarke, *Lives of Deceased Bishops*, II, 264-272.

³ For the history of the diocese, cf. Shea IV, *passim*; Guy, F., *The Catholic Church in Arkansas* (an unprinted Master's essay, done at the Catholic University in 1932).

No. 72.

GREGORY XVI

DECEMBER 1, 1843

In 1830, and 1832, the Flathead Indians of the Oregon territory, at the prompting of the Catholic Iriquois, sent a delegation to St. Louis asking for priests to teach them the Catholic Faith. In the meanwhile, Archbishop Signay of Quebec had received a similar petition from the Catholic Canadians in the Wallamette valley. The latter responded to the request by sending Francis Norbert Blanchet and Modeste Demers to the Pacific coast to care for the Canadians and the Indians. The archbishop appointed Blanchet his vicar-general. In 1840, the mission was reinforced by the arrival of Father Peter de Smet from St. Louis, and a year later Fathers Nicholas Point and Gregory Mengarini together with three Jesuit lay Brothers were added to the number of missionaries. Great progress was made in the mission and the Fifth Council of Baltimore deemed the time opportune to establish a Vicariate-Apostolic in Oregon; the Archbishop of Quebec likewise represented to the Sacred Congregation the necessity of a distinct organization for the territory. At the time, both England and the United States claimed the Oregon territory and the famous cry of "54° 40' or fight" was heard in some political quarters. Eventually, however, the claims of the United States were established (49th parallel), and Oregon was created a territory within the nation in 1848. The vicariate, as established by the Holy See, embraced the immense expanse between California in the South and the Russian province of Alaska in the North and stretched from the Rocky Mountains to the Pacific.¹

Summary: The Fifth Provincial Council of Baltimore has come to the conclusion that the good of religion would better be served, if a vicariate-apostolic were erected in the territory across the Rocky Mountains, called Columbia or Oregon, and which belongs

¹ Shea III, 309-319; Blanchet, *Historical Sketches* (Portland, 1870); O'Hara, *Pioneer Catholic History of Oregon* (Portland, 1911); De Smet, *Oregon Missions and Travels over the Rocky Mountains* (New York, 1847); Bagley, *Early Catholic Missions in Old Oregon* (Seattle, 1932).

partly to the Diocese of Quebec and partly to that of St. Louis, and which should also contain the territory beyond these regions until now subject to Quebec.

Wishing to comply with the wishes of the Council of Baltimore, and having cognizance of the jurisdiction in those territories which the Archbishop of Quebec and the Bishop of St. Louis have relinquished, We constitute a new Vicariate-Apostolic, which shall embrace the territory beyond the Rocky Mountains called Oregon, and likewise the territory beyond those regions which until now belonged to the Diocese of Quebec.

GREGORIUS PP. XVI.

ad perpetuam rei memoriam.

Pastorale officium divinâ providentiâ nostrae humilitati impositum omnino exquirat, ut illis praesertim ovibus, quae regiones ab hac Apostolicâ Sede, ubi catholicae centrum est unitatis, longe dissitas incolunt, nostrâ sedulitate consulamus, ut in adventu Pastoris aeterni repertae, sicut oportet, per apostolicam curam intra verum ovile, ad pascua coelestia feliciter perducantur.

§ 1. Quare cum in Concilio provinciali Baltimorensi V.² religionis bono conducere visum sit, ut Vicariatus Apostolicus erigatur, qui comprehendat territorium trans montes saxeos, vulgo *les Montagnes Rocheuses*, situm, ac territorium Columbiae seu Oregon appellari solitum, partim ad Quebecensem partim ad S. Ludovici dioecesim huc usque pertinens, ac territorium simul contineat, quod trans eas regiones constitutum est, quodque hactenus ad dioecesim Quebecensem pertinebat, nos eiusdem Concilii Baltimorensis votis precibusque annuentes, de venn. fratrum nostrorum S. R. E. Cardinalium negociis Propagandae Fidei praepositorum consilio, rebus mature perpensis, ac ratione habitâ consensus, quem circa iurisdictionem in memoratas regiones dimittendam tum ven. frater Archiepiscopus Quebecensis, tum ven. frater Episcopus S. Ludovici ultro dederunt, motu proprio, atque ex certâ scientiâ ac maturâ deliberatione, deque apostolicae potestatis plenitudine harum literarum vi novum Vicariatum Apostolicum erigimus ac constituimus, qui complecti debeat territorium trans Montes saxeos, vulgo *les Montagnes Rocheuses*,³ situm, ac territorium Columbiae seu Oregon ap-

² The establishment of a Vicariate-Apostolic in Oregon was agreed upon at the Third private Session of the Fifth Provincial Council of Baltimore. *CBH*, 213.

³ Francis Norbert Blanchet was appointed Vicar-Apostolic of the new Vicariate. He was born near Saint Pierre, in the Province of Quebec, Canada, on September 30, 1795. He was ordained to the priesthood in 1819,

pellatum, partim ad Quebecensem partim ad S. Ludovici dioecesim spectans, ac territorium pariter contineat, quod trans illas regiones constitutum est, quodque adhuc ad Quebecensem dioecesim pertinebat.

§ 2. Decernentes has literas firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, atque iis, ad quos spectat vel in futurum spectabit, plenissime suffragari, et ab omnibus inviolabiliter observari; sieque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.

§ 3. Non obstantibus nostrâ et Cancellariae Apostolicae regulâ de iure quaesito non tollendo, aliisque sanctionibus et ordinationibus apostolicis, caeterisque etiam speciali et expressa mentione et derogatione dignis, contrariis quibuscumque.

Datum Romae, apud S. Petrum sub annulo Piscat., die 1. decemb. MDCCCXLIII., pontificatus nostri anno XIII.

Sources: De Martinis, V, 319-320; Hernaez, II, 806.

No. 73.

GREGORY XVI TO ECCLESTON AND SUFFRAGANS

DECEMBER 2, 1843

The Fifth Provincial Council of Baltimore convened on May 14, and closed on May 21, 1843. In their letter to Gregory XVI at the close of the Council, the Fathers wrote of the progress made by the Church in the United States in the last few years. The number of priests, churches, religious institutions, schools, and of the faithful was daily increasing and in one diocese alone forty-three churches were erected, since the Council of 1840. They had high praise for the Jesuit mission in the Rocky Mountain territory and for the work being done for the Negroes in Liberia.¹ The letter

and was appointed Vicar-General of the Oregon Mission by Archbishop Signay of Quebec. He was consecrated titular Bishop of Philadelphia on July 25, 1845, and became the first Archbishop of Oregon City in 1846. He resigned the See in 1880, was appointed titular Bishop of Amida and died on June 18, 1883. Clarke, *Lives of Deceased Bishops*, III, 438-509; Shea IV, *passim*.

¹ CBH, 220-223.

gave consolation to the Supreme Pontiff and his letter is one of congratulation upon the great progress of the Church in the United States. He had confidence also that the Faith would continue to spread through all parts of the Union.

Summary: We were most pleased with the letter which you sent to us together with the acts of the Fifth Provincial Council. Action on the decrees of the Council will be taken by the Congregation in due time.

You are indeed to be praised for again convening in council to discuss those means which would be most conducive to the good of your dioceses and the salvation of souls. Our heart rejoices exceedingly in the Lord to hear that in those vast regions of America, the light of the Faith has been diffused far and wide, that many are embracing the Faith, that the Gospel is being preached to the heathen and the Negro in Africa, churches are being built, Catholic institutions are growing, the number of priests is increasing, ecclesiastical discipline is being strengthened, and the faithful lend a willing ear to the voice of their pastors.

Therefore, whilst We return thanks to God, at the same time, We congratulate you and We have hope that the Catholic religion will strike ever deeper roots in America. We cease not to commend you and your flocks to God and We are confident that you likewise beseech the Lord to strengthen our weakness in these most difficult times.

Venn. fratribus Samueli Arch. Baltimorensi et eius suffraganeis,

GREGORIUS PP. XVI.

Venerabiles fratres, salutem et apostolicam benedictionem.

§ 1. Gratissimae nobis fuerunt vestrae litterae, vixdum quinto provinciali Baltimorensi Concilio a vobis mense maio celebrato, ad nos datae, quibus singularem ac perspectam vestram in nos atque hanc Petri cathedram, catholicae unitatis centrum, venerationem atque observantiam amplissimis verbis una omnes iterum profiteri gloriamini, atque eiusdem Concilii acta huius Apostolicae Sedis iudicio et auctoritati subiicientes, a nobis efflagitatis ut decreta in ipso concilio edita confirmare velimus. De quibus quidem decretis opportunum vobis responsum reddet nostra Propagandae Fidei Congregatio, cui eiusdem concilii acta examinanda commisimus.

§ 2. Summis vero meritisque laudibus episcopalem vestrum omnium sollicitudinem prosequimur, quod muneris vestri partes sedulo obeuntes, ex canonum praescripto rursus in unum convenistis, ut in nomine Spiritus Sancti simul coniuncti, concordissimis animis ea susceperetis consilia, quae maiori dioecesium vestrarum bono atque animarum saluti conducere. Exultavit autem vehementer cor nostrum in Domino, cum ex ipsis vestris litteris noverimus in istis vastissimis regionibus vestrae curae ac zelo concredit, divina adspirante gratia, evangelii lucem longe lateque in dies diffundi, catholicam religionem protendi, populos Christi fidem amplecti, silvestres quoque homines et Nigros in plagis Africae occidentalibus evangelizari,² sacra templa in Dei honorem exstrui, pias institutiones crescere, sacerdotes augeri, ecclesiasticam disciplinam vigere, ac fideles pastoris sui voci faciles aures praeber, eiusque monita perficienda curare.

§ 3. Itaque, ven. fratres, dum maximas Deo totius consolationis gratias agimus, qui super istas gentes misericordiam suam effundere dignatur, vobis quoque vehementer gratulamur, qui pastorali zelo incensi, nullis neque curis, neque laboribus, neque consiliis, vobis parcendum esse cognoscitis, ut de Catholica Ecclesia, de hac Apostolica Sede, atque animarum salute optime mereri possitis: atque in eam profecto spem erigimur fore ut, Deo semper auxiliante, catholica religio in istis regionibus altissimas in dies agat radices, ac prospere feliciterque vigeat, floreat et fidelium numerus ita augeatur, ut omnes supernae veritatis lumine illustrati, atque enutriti verbis fidei, incedant per semitas Domini, atque ambulent in Christo Iesu. Nos quidem non cessamus in omnibus orationibus nostris fraternitates vestras et commissos vobis greges Deo humiliter commendare, nihil dubitantes quin vos quoque sine intermissione ipsum miserationum Dominum orare atque obsecrare velitis, ut infirmitatem nostram, asperrimis hisce temporibus, omnium Ecclesiarum sollicitudine laborantem adiuvet atque confirmet,

² Liberia, on the west coast of Africa, was founded by the American Colonization Society as a place to which free black slaves might return from the United States. Charles Carroll, cousin of Bishop John Carroll, at one time was president of the society. The first colony set out for Liberia in 1820. As a number of the first colonists were Catholics, the matter of caring for them was taken up at the Second Provincial Council of 1833 and missionaries were sent to Africa in 1840. In 1843, the priests of the Congregation of the Holy Ghost entered the field but they were forced to abandon the work. The Fathers of Montfort attempted to do missionary work in Liberia, but they were likewise forced to abandon the project. Propaganda gave the mission into the care of the Priests of the African Missions in 1906. Shea III, *passim*; Fisher, H. P., "The Catholic Church in Liberia", in *Records*, XL (1929), 249-310.

actusque nostros ad maiorem sui nominis gloriam, et totius catholici orbis utilitatem dirigat.³

§ 4. Interim vero studiosissimae nostrae erga vos caritatis pignus accipite apostolicam benedictionem, quam ex intimo corde depromptam cuique vestrum atque omnibus istarum ecclesiarum clericis laicisque fidelibus peramanter impertimur.

Datum Romae apud S. Petrum sub annulo Piscat. die II. decemb. MDCCCXLIII., pontificatus nostri anno XIII.

Sources: De Martinis, V, 321; Mansi, XXXIX, 396-397; *CBH*, 224 f.

No. 74.

GREGORY XVI TO BISHOP BLANC

MARCH 26, 1844

The evils of trusteeism in New Orleans continued after Bishop Rosati's troubles in 1828. The trouble centered mainly about the old cathedral in New Orleans, but with the erection of new churches in the city the congregation of the cathedral was diminished. Seeing their influence waning the trustees made one last stand. They refused to accept the pastors appointed by the bishop and claimed the right of patronage. They even went so far as to have an ordinance passed forbidding any priest under a fine of fifty dollars to perform burial services in any church except the mortuary chapel over which the wardens of the cathedral claimed control. The people were aroused by these proceedings, and they resented strongly the outrages offered to the bishop.¹ The Holy See, in the following letter, reprimanded the trustees for their arrogance and threatened them with ecclesiastical censure unless they repented.

Summary: We were filled with sorrow to hear that the trustees of New Orleans were again trying to undermine the authority of their bishop. They have forgotten the Apostolic Letter of Pius VIII, of 1828, on this same matter, and have fallen into the same sin and have trampled upon your episcopal authority and dignity. Wherefore, We stretch forth our Apostolic authority to curb their

³ The *Acta et Decreta* of the Council are given in *CBH*, 207-229; *Coll. Lac.*, III, 85-96; the *Pastoral Letter* is printed *ibid.*, 1117 ff.

¹ Shea III, 676-80.

unholy designs and, by this letter, condemn their evil attempts against your episcopal power. You shall manifest Our mind to them and let them know that unless they repent they shall be deemed worthy of ecclesiastical punishments (censures). We are confident that they will hear our paternal voice and will repent.

*Venerabili fratri Antonio Episcopo Neo-Aurelianensi,*²

GREGORIUS PP. XVI.

Venerabilis frater, salutem et apostolicam benedictionem.

Ecclesiae universae procuracionem meritis quamvis imparibus divino Providentiae consilio gerentes, nihil sane habemus antiquius, quam ut Episcoporum potestas ac iura sarta tecta servantur, quique illa pessumdare ausu improbo velint, ipsorum audaciam auctoritate nostra apostolicâ retundamus.

§1. Gravem sane dolorem inusserunt nobis literae tuae, ven. frater, quibus illud significasti, paroeciae istius Neo-Aurelianensis aedituos plura miscere ac conari ad episcopalis tuae potestatis iura proterenda, gravesque eâ de re turbas fuisse istic concitatas. Profecto iam inde ab anno MDCCCXXVIII. fel. rec. Leo XII. praedecessor noster per similes apostolicas literas datas Administratori Apostolico istius ecclesiae aedituorum audaciam improbavit, curavitque coercendam, eosque ad bonam frugem revocare contendit. Nunc vero, quoniam oblitus eiusdem praedecessoris nostri paterna monita, ac pristinum facinus renovantes, episcopalem tuam auctoritatem dignitatemque proculcare non dubitant, non possumus, ven. frater, quin tuis votis obsecundantes, ad improbos illorum conatus comprimendos apostolicam nostram auctoritatem exeramus. Quamobrem hisce literis malos istorum aedituorum ausus contra episcopalem tuam potestatem improbamus, atque improbandos ab omnibus esse decernimus, eosque monitos volumus, secum ut reputent, quanto se scelere obstringant qui catholicae ecclesiae disciplinam funditus convellere adnitantur. Quare, ven. frater, hos nostros animi sensus aedituis Neo-Aurelianensibus manifestes, illudque significes, nisi resipuerint, dignos plane videri in quos ecclesiasticis poenis districte animadvertantur.³ Confidimus autem, eos paternis nostris vocibus audientes futuros,

² Anthony Blanc was born at Sury le Comtal, France, on October 11, 1792. He was ordained to the priesthood on July 22, 1816, and came to the United States in September, 1817, where he labored in Mississippi. In 1831, he became Vicar-General to Bishop De Neckere and succeeded him in 1835. He became the first Archbishop of New Orleans and received the pallium on February 16, 1851. He died in New Orleans, on June 20, 1860. Clarke, *Lives of Deceased Bishops*, III, 438-477.

³ Shea (III, 679) says that the trustees of the cathedral submitted in

ac facti poenitentes ad bonam frugem redituros, sic ut quanto nos iam moerore affecerint episcopalis tuae potestatis iura proterentes, tantam allaturi laetitiam sint pastoris sui potestati, uti par est, sese omnino in posterum submittentes. Ceterum, ven. frater, perge, ut facis, seduli pastoris partes explere, et a malorum insidiis, quae ubique latent, gregem servare tuae curae concreditum. Totam vero paternae nostrae sollicitudinis ac studii apostolicam benedictionem tibi gregique tuo peramanter impertimur.

Datum Romae, apud S. Petrum sub annulo Piscat., die xxvi. martii MDCCCXLIV., pontificatus nostri anno xiv.

Source: De Martinis, V, 331-332.

January, 1843, and received the parish priest appointed by the bishop. At the close of the year 1844, the other trustees yielded completely. Shea IV, 270.

PART VI
PONTIFICATE OF PIUS IX
(June 6, 1846–February 7, 1878)

BRIEF OF PIUS IX

JULY 24, 1846

The Church in Oregon, since the establishment of a Vicariate-Apostolic there in 1843, had grown with rapid strides. When Bishop Blanchet went to Rome shortly after his consecration on July 25, 1845, he presented a memoir to the Sacred Congregation in which he reported the results of six years' labor: fourteen chapels and as many missions, one thousand French Canadians, six thousand converted Indians, and two educational establishments.¹ It was on Blanchet's representation, that the Holy See decided to divide the immense territory of the vicariate and raise the latter to the dignity of an archdiocese. The territory of Nesqually was annexed to the new archdiocese but it was promised that eventually it would be erected into a diocese. Walla Walla was established as an episcopal See and the territory of Fort Hall and Coleville were subjected to it for the time being. The establishment of Oregon City as an archiepiscopal See divided the United States into two Provinces: Oregon City with Nesqually, Walla Walla, Fort Hall, and Coleville in the Far West,² and Baltimore comprising the rest of the Union. The Bishop of St. Louis regarded the territory of Oregon as being under his own jurisdiction and the idealistic plans of Bishop Blanchet were later readjusted by the Holy See.

Summary: It has been made known to us that the good of religion would better be served if metropolitan and episcopal Sees were erected in the very vast region of Oregon. Wherefore, We do erect in the city called Oregon a new archiepiscopal See, to which the region of Nesqually shall be subject; the latter shall later be erected into a separate diocese.

PIUS PP. IX.

ad perpetuam rei memoriam.

§ 1. Universi dominici gregis sollicitudo qua premimur, utpote beati Petri Apostolorum Principis successores, nobis suadet, ut quidquid

¹ Shea IV, 318-319.

² The other suffragan Sees of Vancouver, Charlotte Island and New Caledonia, were in Canadian territory.

christifidelium saluti expedire intelligamus, id sedulo curemur exequendum.

§ 2. Itaque, quum nobis compertum sit, ad Ecclesiae bonum in vastissima Oregonensi regione promovendum et catholicam fidem ibi confirmandam nihil opportunius esse, quam ut in dicta regione, cui unus tantum Vicarius Apostolicus³ praeest, metropolitanae sedes atque episcopales proprie dictae dioeceses statuuntur, nos de religionis incolumitate ac propagatione solliciti idipsum exequi constituimus. Quapropter de consilio venn. fratrum nostrorum S. R. E. Cardinalium negociis Propagandae Fidei praepositorum, rebus omnibus mature perpensis, motu proprio ac certa scientia, deque nostrae apostolicae auctoritatis plenitudine, in civitate quae Oregonensis nuncupatur, novam archiepiscopalem sedem erigimus ac constituimus, cui tota Regio Nesquallyensis subiecta erit, quae tamen in posterum in dioecesim proprie dictam erigetur. Ipsi autem Archiepiscopo in nova archiepiscopali sede sic erecta collocando, omnes et singulas facultates de iure consuetas eadem auctoritate nostra apostolica concedimus atque impertimur.

§ 3. Decernentes hasce literas semper firmas, validas et efficaces existere ac fore, suosque plenarios et integros effectus sortiri et obtinere, et ad eorundem privilegiorum et facultatum omnium firmitatem ac robur plenissime suffragari; sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii nostri apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.⁴

³ Cf. Document 72, founding the Vicariate-Apostolic of Oregon.

⁴ The following papal Bull appointed Bishop Blanchet Archbishop of the new metropolitan See:

Venerabili fratri Francisco Norberto Blanchet Episcopo Drasensi ac Vicario Apostolico regionis Oregonensis,

PIUS PP. IX.

*Venerabilis frater,
salutem et apostolicam benedictionem.*

Apostolatus officium. . . . Iam vero quum per similes nostras apostolicas litteras hoc ipso die datas in civitate, quae Oregonensis nuncupatur, novam archiepiscopalem sedem erexerimus, te qui hactenus Vicarii Apostolici munus in regione Oregonensi egregia cum laude gesseris, cuius praeclara in religionem merita nobis comperta sunt, ad eandem novam archiepiscopalem sedem de consilio venerabilium fratrum nostrorum Sanctae Romanae Ecclesiae Cardinalium promovendum censuimus. Te igitur de apostolicae nostrae potestatis plenitudine a vinculo, quo teneris, episcopalis ecclesiae Drasensis dissolvimus, eandemque archiepiscopalem sedem in civitate Ore-

§ 4. Non obstantibus omnibus et singulis illis, quae idem Innocentius praedecessor in suis praefatis literis voluit non obstare, aliisque constitutionibus et ordinationibus apostolicis etiam peculiari mentione ac derogatione dignis, contrariis quibuscumque.

Datum Romae apud S. Mariam Maiorem, sub annulo Piscatoris, die XXIV. iulii MDCCCXLVI., pontificatus nostri anno I.

Sources: De Martinis, VI (1), 6; Hernaez, II, 797 f.

No. 76.

PIUS IX

JULY 24, 1846

Summary: It has been made known to us that the good of religion would be promoted in the very vast region of Oregon, if, beside a metropolitan See, there were erected episcopal Sees. Wherefore, having weighed matters maturely, with Our Apostolic authority, We constitute the region of Walla Walla into a separate diocese, to which, for the time being, we subject the regions of Fort Hall and Coleville; these latter shall later be erected into separate dioceses.

PIUS PP. IX.

ad perpetuam rei memoriam.

§ 1. In Apostolicae Sedis fastigio, Deo sic volente, constituti, ad remotas quasque gentes oculos intendimus, ut quidquid spirituali illarum saluti expedire noscamus, pro nostri muneris officio praestandum curemus. Iam vero cum nobis innotuerit, ad catholicae fidei incolumitatem ac prosperitatem in vastissima Oregonensi regione promovendam, interesse quamplurimum, ut, praeter metropolitanam sedem, episcopales proprie dictae dioeceses ibidem statuuntur: nos ad illud exequendum studia nostra curasque convertimus. Itaque de consilio venn. fr. nostrorum S. R. E. Cardinalium Propagandae Fide negotiis praepositorum, rebus mature perpensis, deque apostolicae nostrae auctoritatis plenitudine, regionem Walla-Walla in propriam dioecesim erigimus ac con-

gonensi constitutam, de persona tua providemus. Teque illi in Archiepiscopum praeficimus etc.

Datum Romae, apud S. Mariam Maiorem, sub annulo Piscatoris, die XXIV. iulii MDCCCXLVI., pontificatus nostri anno I.

De Martinis, VI(1), 6, note.

stituimus, cui interim subiectas volumus regiones Fort-Holl et Colville, quae in posterum in episcopatus proprie dictos eriguntur.¹

§ 2. Haec statuimus atque elargimur, decernentes hasce literas et in eis contenta quaecumque, quovis praetextu, colore et ingenio, de subreptionis vel obreptionis vitio, aut intentionis nostrae vel quovis alio defectu notari, impugnari, aut in controversiam deduci non posse, sed semper firmas, validas, et efficaces existere ac fore, suosque plenarios et integros effectus sortiri et obtinere, et eorum causa quae expressa sunt, hoc futurisque temporibus plenissime suffragari; sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii nostri apostolici auditores iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.

§ 3. Non obstantibus constitutionibus et sanctionibus apostolicis, nec non, quatenus opus sit confraternitatis et ordinis, de quibus habita est mentio, etiam iuramento, confirmatione apostolica, vel quavis firmitate alia roboratis statutis et consuetudinibus, privilegiis quoque, indultis et literis apostolicis superioribus et personis, sub quibuscumque tenoribus et formis, ac cum quibusvis etiam derogatoriis derogatoriis, aliisque efficacioribus, efficacissimis, ac insolitis clausulis, irritantibusque et aliis decretis in genere vel in specie, ac aliis in contrarium quomodolibet concessis, approbatis, et innovatis; quibus omnibus et singulis illorum tenores praesentibus pro plene et sufficienter expressis, ac de verbo ad verbum insertis habentes, illis alias in suo robore permansuris, ad praemissorum effectum hac vice dumtaxat specialiter et expresse derogamus, caeterisque contrariis quibuscumque.²

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris die xxiv. iulii mdcccxlvj., pontificatus nostri anno i.

Source: De Martinis, VI (1), 6-7.

¹ The first Bishop of Walla Walla was Augustine Magloire Blanchet, brother of Francis N. Blanchet, Archbishop of Oregon City. He was born at St. Pierre, Rivière du Sud, in the the Province of Quebec, Canada, on August 22, 1797. He was ordained to the priesthood in 1821, and was consecrated on September 27, 1846. He was transferred to the See of Nesqually in 1850, resigned his See in 1879, and died on February 25, 1887. O'Donnell, *Catholic Hierarchy of the United States*, 30-31.

² The diocese was suppressed on July 29, 1853. Cf. Document 109. O'Donnell, *op. cit.*, 30, makes the statement that the "name of the Diocese was changed to Nesqually on May 31, 1850". Blanchet was transferred to Nesqually on that date, and in 1853, the Diocese of Walla Walla was divided between the Archdiocese of Oregon City and Nesqually.

No. 77.

PIUS IX

APRIL 23, 1847

The Sixth Provincial Council of Baltimore which convened on May 10, 1846, petitioned the Holy See to divide the immense Diocese of New York and to establish two new dioceses within the State, namely, Buffalo and Albany. The Diocese of Cincinnati was likewise becoming too unwieldy to be properly cared for by one bishop and the Fathers of the Council requested that a new episcopal See be established in Cleveland. Bishop Tyler of Hartford requested the Council to forward a petition to the Holy See changing his episcopal city from Hartford to Providence, Rhode Island, since the latter city contained the largest Catholic population in the diocese. The Holy See granted these requests establishing the three Sees of Buffalo, Albany, and Cleveland on April 23, and changing the episcopal city of Hartford to Providence.

Summary: The Archbishop of Baltimore and his suffragans gathered together at the Sixth Provincial Council (1846), have concluded that it would conduce to the increase of religion if, in the vast State of New York, there were erected two other dioceses, distinct from that of New York. Having submitted the matter to Us, on the advice of the Sacred Congregation, We have judged it advisable to accede to the desires of the Council.

Therefore, having in mind the consent of the Bishop of New York, John Hughes, We erect a new episcopal See in the city of Buffalo.

PIUS PP. IX.

ad perpetuam rei memoriam.

§ 1. Universi dominici gregis custodia nobis a pastorum principe Iesu Christo concredita illud exigit, ut quidquid ad securitatem gregis tuendam pertinere videatur illud quantum est situm in nobis exequi studeamus.

§ 2. Itaque quum Archiepiscopus Baltimorensis et foederatae Americae Septemtrionalis Episcopi in sexto provinciali Concilio celebrato mense maio anni proxime praeteriti MDCCCXLVI. ad catholicae Ecclesiae maius incrementum assequendum plurimum conducere posse censuerint, ut in vastissimo Novi Eboraci statu duae novae episcopales sedes ac dioeceses a Nova Eboracena distinctas erigantur, quarum una in civitate

quae Buffalo dicitur constituatur; quumque hac de re supplices nobis preces obtulerint: nos de consilio venerabilium fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum ad novae episcopalis sedis erectionem deveniendam censuimus.

§ 3. Itaque, attento consensu venerabilis fratris Iohannis Ituques [Hughes] Episcopi Novi Eboraci, rebus omnibus mature perpensis, motu proprio certa scientia deque nostrae apostolicae potestatis plenitudine in memorata civitate Buffalensi¹ novam episcopalem sedem erigimus et constituimus eique omnem illam status Novi Eboraci partem subiicimus, quae ad occidentem limitibus Orientalium comitatum Cayrga [Cayuga], Tompkins ac Tioga et consuetis finibus status novi Eboraci continetur, quam quidem regionis partem ab Episcopi Novi Eboraci iurisdictione subtractam in proprie dictam dioecesim erigimus ac constituimus, Episcopo autem dictae sedi episcopali et dioecesi praeficiendo omnes et singulas facultates impertimur ac privilegia quae ex iure vel consuetudine propria sunt Episcoporum.

§ 3. Haec volumus ac mandamus, decernentes has praesentes litteras semper firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, iisque ad quos spectat et spectabit in futurum, plenissime suffragari, sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari. Non obstantibus nostra et cancellariae apostolicae regula de iure quaesito non tollendo aliisque apostolicis ac in universalibus provincialibusque et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, caeterisque contrariis quibuscumque.

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris die XXIII. aprilis MDCCCLVII., pontificatus nostri an. I.

Source: De Martinis, VI (1), 24-25.

¹ The first Bishop of Buffalo was John Timon, C. M. He was born in Conewago, Pennsylvania, on February 12, 1797. He entered the Lazarist Congregation and was ordained to the priesthood in 1825. He received consecration from the hands of Bishop Hughes in New York City on October 17, 1847. He died on April 16, 1867. Deuther, *Life and Times of the Right Reverend John Timon* (Buffalo, 1870). Shea III, IV, *passim*.

No. 78.

PIUS IX

APRIL 23, 1847

Summary: The good of religion would better be served if two other dioceses were erected in the State of New York, one of the dioceses being that of Albany. Wherefore, We do erect in the afore-said city of Albany a new episcopal See, having the boundaries suggested by the Sixth Provincial Council of Baltimore.

PIUS PP. IX.

ad perpetuam rei memoriam.

§ 1. Ad supremum apostolatus apicem meritis licet imparibus evecti, nostri muneris esse ducimus novas, quando id utilitas postulet, constituere episcopales sedes, ut, aucto pastorum numero, securitati domini gregis rectius ac facilius possit providere etc.

§ 2. Itaque rebus omnibus etc. ut in vastissimo Novi Eboraci statu duae novae sedes episcopales ac dioeceses a Novo Eboracena distinctae erigantur, quarum una in civitate quae Albany¹ dicitur constituatur etc., in memorata civitate Albanensi seu Albany nova etc. Eiusdemque dioecesis limites, qui iam a Baltimorensi Concilio descripti sunt, constituimus.

§ 3. Volumus nimirum ut nova Albanensis dioecesis eos habeat fines a septentrione et ab oriente, quibus ipse status Novi Eboraci includitur; a meridie linea habeat latitudinis septemtrionalis quadragesimum secundum; denique occidentem versus perveniat usque ad limitem orientalem comitatum Caynga, Tompkins et Tioga. Universum proinde regionis etc.

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris die xxiii. aprilis MDCCXLVII, pontificatus nostri anno i.

Source: De Martinis, VI (1), 25.

¹ John McCloskey, the future first American Cardinal was appointed to the See of Albany. He was born in Brooklyn, New York, on March 20, 1810, ordained to the priesthood in 1834, and in 1844, was consecrated titular Bishop of Axiere and Coadjutor to Bishop Hughes. In 1864, he was promoted to the See of New York and on March 15, 1875, was preconized Cardinal. He died on October 10, 1885. Farley, *Life of John Cardinal McCloskey* (New York, 1918).

No. 79.

PIUS IX

APRIL 23, 1847

Summary: The Sixth Provincial Council of Baltimore has petitioned that a new episcopal See distinct from that of Cincinnati be erected in the city of Cleveland. Wherefore, We constitute a new See in the city of Cleveland which shall embrace that portion of the State of Ohio which lies north of the parallel of latitude 40' 41''.

PIUS PP. IX.

ad perpetuam rei memoriam.

§ 1. Universalis Ecclesiae procuratio nobis licet immerentibus divinae providentiae consilio commissa nos admonet ut novas in orbe catholico dioeceses constituamus etc.

§ 2. Itaque quum Archiepiscopus Baltimorensis et foederatae Americae Septemtrionalis Episcopi in sexto provinciali Concilio celebrato mense maio anni proxime praeteriti MDCCCLXVI. ad catholicae Ecclesiae maius incrementum assequendum plurimum conducere posse censuerint, si nova sedes ac dioecesis episcopalis a Cincinnatiensi distincta in opido Cleveland in statu Ohio statuatur, quumque hae de re etc. atque attento etc. consensu venerabilis fratris Iohannis Baptistae Purcell Episcopi Cincinnatiensis, ad novae huius episcopalis sedis erectionem deveniendum censuimus. Itaque rebus omnibus etc. in oppido cui nomen Cleveland¹ in statu Ohio novam episcopalem sedem erigimus et constituimus, eidemque omnem illam status Ohiensis partem quae ad septemtrionem ad lineae latitudinis septemtrionalis gradum quadragesimum et quadragesimum primum iacet, ab Episcopi Cincinnatiensis iurisdictione subtraetam subiicimus etc.

§ 3. Haec volumus etc.

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris die XXIII. aprilis MDCCCLXVII., pontificatus nostri anno I.

Source: De Martinis, VI (1), 25.

¹ Louis A. Rappe was appointed first Bishop of Cleveland. He was born near St. Omer, France, on February 2, 1801. In 1829, he was ordained to the priesthood and consecrated on October 10, 1847. He resigned his See in 1870 and took up the life of a simple missionary priest in Vermont where he died on September 7, 1877. Houck, *History of Catholicity in Northern Ohio and Diocese of Cleveland* (New York, 1887), *passim*; Clarke, *Lives of Deceased Bishops*, III, 265 ff.

No. 80.

PIUS IX

MAY 4, 1847

Summary: William Tyler, Bishop of Hartford, petitioned in the Sixth Provincial Council that he be permitted to change his episcopal residence from Hartford, Connecticut to Providence, since in the latter city there is a greater number of Catholics and more opportunities for an episcopal residence.

The petition is granted but the episcopal See shall retain its original title.

*PIUS PP. IX.**ad perpetuam rei memoriam.*

§ 1. Apostolici muneris officio admoniti, sacrorum Antistitum votis ac postulationibus libenter annuimus, si quid a nobis petant quod ad tuendam ornandamque pastorem ipsorum Episcoporum curam pertinere videatur.

§ 2. Iamvero, venerabilis frater Archiepiscopus Baltimorensis, ad Catholicae Religionis bonum procurandum valde opportunum esse censuit, ut, quemadmodum venerabilis frater Guillelmus Tyler Episcopus Hartfordiensis in statu Connecticutensi praesens in Concilio petebat, ipsi liceat ab Hartfordiae civitate ad oppidum seu civitatem Providentiae seu *Providence* nomine appellatam episcopalem suam residentiam transferre, utpote quod in dicta urbe Providentiae maior catholicorum numerus existat, et cetera opportuniore sint ad commodiorem Episcopi residentiam constituendam.¹

§ 3. Quum igitur ea super re preces nobis oblatae sint, nos . . . dicti Episcopi votis obsecundandum censuimus. Itaque facultatem facimus, cuius ope memoratus Hartfordiensis Antistes episcopalem suam residentiam in civitatem Providentiam transferat, in eaque constituat ita tamen, ut facta translatione huius pristinum Hartfordiensis sedis episcopalis titulum retineat.

§ 4. Id concedimus etc.

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris die IV. maii MDCCCLVII., pontificatus nostri anno I.

Source: De Martinis, VI (1), 25-26.

¹ Providence became an episcopal See in 1872. Cf. Document 142.

No. 81.

PIUS IX TO ECCLESTON AND SUFFRAGANS

JUNE 13, 1847

The Sixth Council of Baltimore convened on May 10 and closed on May 17, 1846. Gregory XVI died on June 1, 1846,¹ and his successor, Pius IX, answered the letter of the Fathers of the Council.

Summary: The letters which you wrote to Gregory XVI on the Sixth Provincial Council have been given to Us. We would have written to you without delay but the matters pertaining to the Council had first to be submitted to the Propaganda. These matters have now been absolved, the new Sees have been erected, etc. We are filled with joy at the great spread of the Faith among you. We congratulate you on your labors for the spread of religion and on your pastoral solicitude. The Sacred Congregation will make known Our mind to you concerning the Council.

Venerabilibus fratribus Samueli Eccleston, Archiepiscopo Baltimorensi, caeterisque Episcopis in Foederatae Americae Septentrionalis dioecesibus consistentibus,

PIUS PP. IX.

Venerabiles fratres, salutem et apostolicam benedictionem.

§ 1. Quas Baltimore, venerabiles fratres, ad praedecessorem nostrum fel. rec. Gregorium XVI. litteras scripseratis, cum ad eundem Concilii sexti Provincialis in illa civitate mense maio anno MDCCCXLVI. habiti acta et decreta² examinanda ac probanda mitteretis, eae redditae nobis sunt non multo postquam, Pontifice illo ad virtutum suarum praemium a Deo Optimo Maximo accipiendum vocato, nos, licet immerentes, ad B. Petri cathedram evecti sumus.

§ 2. Voluissemus quidem vobis sine mora respondere; sed expectandum potius esse statuimus, ut primum de rebus in memorato Concilio gestis venerabiles fratres nostri S. R. E. Cardinales negotiis Propagandae Fidei praepositi accuratam, ut assolet, pertractationem per-

¹ De Montor, *Lives of the Roman Pontiffs*, II, 846.

² The *Acta et Decreta* of the Council together with the responses of the Holy See are printed in *CBH*, 233-259; *Coll. Lac.*, III, 97-108.

agerent, nobisque de deliberatione idcirco ab iisdem instituta deinde referrent.³

§ 3. Nunc vero, cum id effectum rite fuerit, cumque ea omnia absoluta sint, quae ad novas sedes episcopales, prout petistis, in regionibus istis constituendas, atque ad earundem praesulum electionem institutionemque faciendam necessario requirebantur, scribendam vobis hanc epistolam existimavimus, ut animi nostri sensus vobis significaremus.

§ 4. Scilicet laetamur plurimum in Domino de incremento permagno quod apud vos Ecclesiam Catholicam in dies capere gaudentes testati estis. Gratulamur vero vehementer virtuti laboribusque vestris, qui propagandae religionis singulari studio animati, ad amplificandam magnam istam vineae Domini partem, curam omnem ac pastorem sollicitudinem contulistis. Speramus autem futurum, ut uberiores quo-

³ The Decrees of the Council were confirmed by Pius IX, on February 7, 1847:

DECRETUM

S. Congregationis generalis de Propaganda Fide, de confirmatione Decretorum Concilii.

Cum ad S. Congregationem delata fuissent acta et decreta Concilii Provincialis sexti Baltimorensis, mense maio anno MDCCCXLVI. celebrati, una cum Epistola R. P. D. Samuelis Eccleston Archiepiscopi Baltimorensis, et caeterorum Episcoporum ad sa. mem. Gregorium PP. XVI. scripta, qua eorumdem actorum et decretorum Concilii approbatio petebatur, cumque eadem mature examinata a S. Congregatione fuissent, et perpensum praeterea esset quantum ad religionis decus tuendum et promovendum, ad animarum salutem procurandam, et ad debitum honorem Episcopis et clero saeculari et regulari foederatarum Americae provinciarum impensius conciliandum, ex Concilii eiusdem celebratione, ex numero Episcoporum qui illi interfuerunt, et ex rerum in eo tractatarum gravitate posset proficisci; Emi ac Revmi Patres in generali conventu de Propaganda Fide, habito die xxv. ianuarii anno MDCCCXLVII., referente Emo ac Rmo D. Iacobo Philippo S. R. E. Cardinali Fransonio; S. Congregationis Praefecto, eadem plurimis laudibus cumulantes, et summopere commendantes, censuerunt supplicandum esse SSmo Domino Nostro ut memorata decreta Concilii Provincialis sexti apostolica auctoritate sancire et approbare dignaretur.

Quam S. Congregationis sententiam ab R. P. D. Ioanne Brunelli, Archiepiscopo Thessalonicensi, et eiusdem S. Congregationis Secretario, relatam in audientia die vii. febr. MDCCCXLVII. habita, SSmus Dominus Noster Pius divina providentia PP. IX. benigne probavit in omnibus, et decreta, de quibus sermo est, apostolica confirmatione munita, in dioecibus Americae foederatarum provinciarum servari praecepit.

Datum Romae, ex aedibus S. Congregationis de Propaganda Fide, die ii. iulii anno MDCCCXLVII.

De Martinis, VI(I), 33, note.

tidie fructus ex praeclara laborum vestrorum persecutione percipiatis. Nos denique vobis aperte pollicemur, nihil unquam nos esse omissuros, quod vobis et Ecclesiae causae quam pertractatis, utilitati atque adiumento esse possit.

§ 5. Interea, dum vos certiores facimus de Concilii a vobis habiti decretis per memoratam ven. fratrum nostrorum S. R. E. Cardinalium Congregationem vobis mentem nostram, erga vos in primis benevolam, patefaciendum esse, apostolicam benedictionem vobis ex animo peramanter impertimur.

Datum Romae, apud S. Mariam Maiorem, sub annulo Piscatoris, die XIII. iunii MDCCCXLVII., pontificatus nostri anno I.

Sources: De Martinis, VI (1), 32-34; *CBH*, 248-250.

No. 82.

PROPAGANDA TO ARCHBISHOP ECCLESTON

JULY 3, 1847

A year after the convening of the Sixth Provincial Council of Baltimore, the Sacred Congregation wrote to the American hierarchy commending them for their zeal and labours in the cause of religion, and announcing that the favors asked for in the Council were granted by the Holy See.

Summary: The reverence shown to the Holy See in the decrees of the Council is most pleasing and commendable. The progress of the Faith in America is shown in the acts of the Council. That their labors might more abundantly be blessed, the Fathers of the Council have petitioned the Pontiff to confirm their choice of the Blessed Virgin Mary Conceived without Sin as the patroness of the United States; this has most willingly been granted. The formula of the oath to be taken by newly-elected bishops has been approved and the new Sees have been erected. Among the qualities required in a bishop, one of the most necessary is that he understand the language of his people. Care should be taken, therefore, to nominate priests of German nationality or priests who know the language for those parts of the country where people of that race predominate. Bishops should likewise provide priests who are able to preach and hear confessions in German. The publication of the banns of

matrimony should be insisted upon, as the decrees of the Council state; and, there seems to be no reason why this should not be done even in cases of mixed marriages.

EPISTOLA

S. Congregationis generalis de Propaganda Fide ad Archiepiscopum Baltimoreensem.

Ill^me ac R^me Domine

Acta et Decreta sexti Concilii Provincialis, ab amplitudine tua et Episcopis suffraganeis anno praeterito habiti, ad hanc S. Congregationem perlata fuerunt; sed pluribus de causis, et praesertim gravitate rerum a Concilio pertractatarum, factum est ut responsio per quam mens S. Congregationis vobis innotesceret, ad hoc usque tempus differri debuerit. Pergrata quidem fuerunt emergentia ex actis huius etiam Concilii argumenta obsequii erga D. Petri Sedem, zeli pro animarum salute procuranda, et divina gloria impense promovenda. Dignum vero vestra virtute fuit, qui episcopali dignitate praediti estis, quod tanto disciplinae ecclesiasticae studio, tantaque erga Apostolicam Sedem observantia commendemini. Neque mirum proinde videri debet si ex hactenus petita sedium episcopaliū erectione, ex decretis conditis, et ex omnibus aliis in Conciliis Baltimorensibus antea gestis, tales fuerint in Americae Foederatae provinciis religionis progressus, ac tanto splendore enituerit cleri sollicitudo, atque religiosa virorum et mulierum instituta tantopere floruerint.

Ut hi fructus laborum quas una cum dilectis utriusque cleri presbyteris indefesse sustinetis copiosiores sint, atque ut plenitudo gratiarum coelestium in omnes dioeceses derivetur, Patres Concilii optimum consilium inivere implorandi peculiarem potentissimam SS^mae Dei Genitricis opem ac tutelam, atque SS^mus Dominus Noster Pius PP. IX. electionem a Concilio factam eiusdem B^mae Virginis sine labe originali conceptae in Patronam Americae Foederatae statuum libentissime confirmavit. Adiectum habetur de ea re decretum a SS^mo Domino approbatum.¹

¹ Following is the papal decree constituting the Virgin Mary, under the title of the Immaculate Conception, Patroness of the United States. The first decree of the Council asked for this privilege:

DECRETUM

S. Congregationis Generalis de Propaganda Fide, quo deipara Virgo, sine labe Originali Concepta, Septentrionalis Americae Foederatae Provinciarum Patrona Instituitur.

Cum R. P. D. Archiepiscopus Baltimorensis ejusque Suffraganei Episcopi Concilium sextum Provinciale mense Maio anno 1846 celebrantes, supplices petiissent ut à S. Sede approbaretur electio quam ipsi in Concilio fecerunt

Libellum supplicem quo petebatur ut Episcopis in posterum promovendis liceret iuramentum iuxta formulam a Concilio propositam emit-tere, S. Congregatio attente consideravit, et SSñus Dominus Noster eamdem formulam benigne approbans, ab Episcopis ad sedes Americae Foederatae promovendis servari iussit.

Ex adiectis pluribus SSñi Domini Nostri litteris apostolicis intelli-gets Sanctitatem Suam novarum sedium episcopalium erectioni a vobis praepositae assensam esse, et dignos episcopatu eos reputasse qui a vobis commendati sunt.

S. Congregatio censet plurimum commendari debere eam sollicitu-dinem quam Episcopi Concilii ostenderunt de qualitatibus tanto gradu dignis in illis requirendis, qui Episcopi faciendi sunt, cum nemini dubium esse possit quin fideles ad pietatem et ad alia religionis officia alliciantur, si eorum pastores necessariis ornamentis praeditos esse con-stet. Inter qualitates vero in Episcopis requirendas, locum certe tenet scientia linguae, qua utantur fideles quibus iidem praeesse debent. Ita-que, cum ingens sit numerus eorum qui ex Germania quotannis migrant ut in Foederatis Provinciis sedem sibi domiciliumque constituent, dabi-tis operam in posterum ut S. Congregationi presbyteros, quos reperiri licebit, linguae Germanicae peritia praeditos, pro iis dioecesibus eli-gendos curetis, in quibus populus ex Germania profectus reperiatur. Illud etiam providendum est ut presbyteri in iis dioecesibus non desint,

Bmæ Mariæ Virginis sine labe originali conceptæ in Patronam Septentrio-nalis Americae Fœderatæ Provinciarum, nullâ tamen inductâ obligatione audiendi Missam et à servilibus operibus abstinendi in ipso festo die Con-ceptionis Bmæ Mariæ, atque ita ut ea solemnitas, nisi festum in Domini-cam inciderit, transferri debeat in Dominicam proximè sequentem, in quâ Missæ tam privatæ quam solennes, de festo illo translato celebrentur, Vespertinumque officium de eodem recitetur; Emi ac Revmi Patres in Con-gregatione Generali de Propagandâ Fide, habitâ die 25 Januarii anno 1847, referente Emo ac Revmo D. Jacobo Philippo S. R. E. Presbytero Cardinali Fransonio, S. Congregationis Præfecto, censuerunt supplicandum SSmo Dno Nostro ut pientissimis Concilii votis annuere dignaretur.

Hanc verò S. Congregationis sententiam ab R. P. D. Joanne Brunellio, Archiepiscopo Thessalonicensi, S. Congregationis Secretario, SSmo Dno Nostro relatam in audientiâ die 7 Februarii 1847 habitâ, SSmus Dnus Noster Pius divinâ Providentiâ PP. IX benignè probavit in omnibus, de-creto sa. me. Urbani PP. VIII super electione Patronorum, et aliis quibus-cumque non obstantibus.

Datum Romæ, ex Ædibus S. Congregationis de Propag. Fide, die 2 Julii anno 1847.

J. Ph. Card. Frasoni, *Praefectus*.
J. B. Palma, *S. Congregat. Officialis*.

qui Germanicam linguam calleant, quo possint fructuose praedicare, et sacramentum poenitentiae Germanis² rite utiliterque ministrare.

Inter decreta Concilii unum invenitur quod ad proclamationes matrimonio praemittendas spectat, et recte ac laudabiliter Patres statuerunt legis istius observantiam esse praescribendam, quam Ecclesia saepe-numero commendavit, et Episcoporum assidua vigilantia urgendam curavit; siquidem hoc remedium efficacissimum est, ut malis quae orirentur ex matrimoniis nimis praecipitanter vel cum existentia alicuius impedimenti contractis, succurri possit. Constat enim hanc legem fuisse ea de causa praescriptam ut scandalis occasio praecluderetur, et consuleretur legum ab Ecclesia de matrimonio conditarum custodiam ac sanctitati. Quapropter, cum cautelae loco et veluti prudentiae remedium haec bannorum publicatio haberi debeat, nulla ratio satis firma videtur obesse, quominus proclamationes, etiam quando agitur de matrimoniis mixtis, fiant; quae tamen matrimonia nullo adhibito religioso ritu celebrari oportet.

Haec amplitudini tuae et Episcopis tecum una in Concilio congregatis, nomine S. Congregationis habui significanda. Atque hanc nactus occasionem, debitas laudes tibi tribuendas censui ob zelum illum perspicuum ab amplitudine tua praesertim exhibitum, cui peculiari ratione Conciliorum Baltimorensium celebratio hactenus facta, et secundum canonum praescripta rite curata, referri debet. Precor Deum interea, etc.

Romae, ex aedibus S. Congregationis de Propaganda Fide, die III. iulii MDCCCXLVII.

Sources: De Martinis, VI (1), 32-33; *CBH*, 250-253.

No. 83.

BRIEF OF PIUS IX

JULY 20, 1847

The creation of the Archdiocese of Oregon was not solicited by the Sixth Provincial Council of Baltimore. The third archiepiscopal See in the United States was likewise not the result of a petition from the Bishops assembled in Baltimore. The Bishop of Philadelphia, Francis Patrick Kenrick, was suspected of having been the moving factor in causing his brother Peter Richard Kenrick to be raised to the dignity of an archbishop but this he denied,

² In 1840, the number of German immigrants amounted to 152,454. Ten years later, there were 434,626 German immigrants. Shaughnessy, *Has The Immigrant Kept the Faith?* 274.

although he wrote that, while in Rome, when asked by the Cardinal Prefect of Propaganda "what city in the West I thought ought to be raised to that dignity, I told him that it was St. Louis, as I judged the various claims".¹ The papal Brief of Pius IX, erecting the Province of St. Louis, did not specify what episcopal Sees should be suffragan to the newly-established Province but left the choice to the following Provincial Council of Baltimore.

Summary: Since the number of Catholics and their bishops has increased in the United States, it has been made known to us that another Metropolitan See besides that of Baltimore should be erected.

Wherefore, We hereby erect the Diocese of St. Louis into a separate archdiocese. We desire that the suffragan sees of the new archdiocese be designated at the next provincial council and proposed to the Holy See.

PIUS PP. IX.

ad perpetuam rei memoriam.

§ 1. Apostolici muneris officio admonemur ut novas sive episcopales sive archiepiscopales sedes per catholicum orbem constituamus, quoties id catholicae fidei proficere intelligamus.

§ 2. Cum itaque propter auctum catholicorum numerum et Episcoporum in foederatis Americae Septemtrionalis provinciis valde expedire noseamus, ut, praeter Baltimoreensem sedem archiepiscopalem a Pio VII. praedecessore nostro erectam, altera quoque sedes eadem ornetur dignitate ex eo quod id plurimum conducat ut Episcopi ad synodus provinciales facilius convenire possint, eorumque opera mira illa concordia atque disciplinae uniformitas quae feliciter viget, in posterum conservetur, nos de consilio venn. fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum episcopalem sedem S. Ludovici in sedem archiepiscopalem evehendam censuimus.

§ 3. Itaque motu proprio, certa scientia, matura deliberatione nostra, deque apostolicae potestatis plenitudine memoratam sedem episcopalem S. Ludovici in proprie dictam archiepiscopalem sedem erigimus et constituimus cum omnibus iuribus, facultatibus, praerogativis quae sedibus archiepiscopali dignitate auctis propriae sunt.

§ 4. Volumus autem ut Episcopi suffraganei sedi novae sic erectae designandi in proximo concilio provinciali, nobis atque huic Sanctae Sedi proponantur.

¹ *Kenrick-Frenaye Correspondence* (Philadelphia, 1920), p. 278.

§ 5. Id statuimus atque mandamus etc.

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris die xx. iulii MDCCCXLVII., pontificatus nostri anno II.

Sources: De Martinis, VI (1), 39-40; Hernaez, II, 788 f.

No. 84.

PIUS IX TO CHARLES MONTGOMERY

NOVEMBER 20, 1849

The first Bishop of Monterey, Garcia Diego y Moreno, died on April 30, 1846. Due to many different causes, conditions in the diocese were in a deplorable state, letters were sent to Bishop Hughes in New York, and Archbishop Eccleston asking them to provide for the Church in that part of the United States. The matter was taken up at the Seventh Provincial Council of Baltimore and three names were proposed to the Holy See to fill the vacancy left by Bishop Moreno's death. The choice of the Holy See was Charles Montgomery.¹

Summary: The Archbishop of Baltimore and his suffragan bishops in the Seventh Provincial Council of Baltimore, being solicitous that the vacant See of Monterey be filled as quickly as possible, have recommended you highly for this office. Wherefore, having sought the counsel of the Sacred Congregation, We, hereby, constitute you Bishop of Monterey.

Dilecto filio religioso viro Carolo Montgomery olim provinciali Ord. Praedicatorum,

PIUS PP. IX.

Dilecte fili, salutem et apostolicam benedictionem.

Apostolici ministerii officium nobis divinitus commissum postulat, ut omni cura et studio animarum saluti prospiciamus, et vacantium ecclesiarum provisioni ac regimini consulamus. Itaque, cum venerabiles fratres Archiepiscopus Baltimorensis alique Antistites eius suffraganei, in Sacro Concilio nuper habito, de Californiensis missionis utilitate

¹ The California Republic was established in 1846 and became a permanent possession of the United States by the Treaty of Guadalupe Hidalgo on February 2, 1848.

solliciti existimaverint electionem quamprimum esse faciendam novi Episcopi ad vacantem sedem Monterey,² teque, dilecte fili, vehementer nobis hac de causa commendaverint, eorumdem venerabilium Antistitum votis de consilio venerabilium fratrum nostrorum Sanctae Romanae Ecclesiae Cardinalium Congregationi Propagandae Fidei praepositorum consilio quam libentissime obsecundandum censuimus. Quamobrem te, dilecte fili, morum integritate, prudentia, religione, pietate, doctrina spectata, aequae ac rerum spiritualium providentia et temporalium circumspectione praestantem peculiari beneficentia prosequi volentes, et a quibusvis excommunicationis, suspensionis et interdicti, aliisque ecclesiasticis censuris, sententiis et poenis, quovis modo et quacumque de causa latis, si quas forte incurristi, huius tantum rei gratia absolventes et absolutum fore censentes, te hisce litteris auctoritate nostra apostolica vacantis episcopalis ecclesiae Monterey Episcopum atque pastorem eligimus, renunciamus et constituimus, eandemque ecclesiam de persona tua ob tuorum exigentiam meritorum nobis accepta providemus, et curam, regimen, atque administrationem eiusdem ecclesiae in spiritualibus et temporalibus plenarie tibi committimus. In illo autem qui dat gratiam et largitur dona confidimus, quod dirigente Domino actus tuos praedicta ecclesia Monterey tuae circumspectionis et diligentiae studio utiliter et prospere dirigatur, et in spiritualibus ac temporalibus Catholica Religio incrementa suscipiat. Iugum igitur Domini tuis impositum humeris prompta animi devotione amplectens curam et administrationem praedictas ita studeas etc.³

Datum Neapoli in suburbano Portici sub annulo Piscatoris die xx. nov. MDCCCXLIX., pontificatus nostri anno iv.

Source: De Martinis, VI (1), 86.

² The Diocese of the Two Californias was established in 1840 (Cf. Document 65). The episcopal See, according to the Bull of foundation, was to be at San Diego, but this was changed later to Monterey. Thus the diocese was known as the Diocese of California, of San Diego, and Monterey.

³ Charles Montgomery, O. P., refused the bishopric. The Holy See then appointed Joseph Sadoc Alemany, O. P., as the successor of Bishop Garcia Diego, O. F. M. Alemany was born at Vich, Catalonia, on July 13, 1814. He entered the Dominican Order, was ordained in 1847, became Provincial of the Dominicans in Ohio, and was consecrated Bishop of Monterey on June 30, 1850. He was transferred to the newly-erected metropolitan See of San Francisco in 1853, resigned his See in 1884, and died in Spain on April 14, 1888. Clarke, *Lives of Deceased Bishops*, I, 196-260; Geary, G., "Transfer of Ecclesiastical Jurisdiction in California", in *Historical Records and Studies of the United States Catholic Historical Society*, XXII (1932), 101-167; Engelhardt, *Missions and Missionaries of California* (San Francisco, 1908-1915), IV, *passim*.

No. 85.

PIUS IX

MAY 31, 1850

Augustine Blanchet, the newly-appointed Bishop of Walla Walla (1846), reached Fort Walla Walla on September 5, 1847. At the time, the entire region was being ravaged by diseases which mainly affected the Cayuses, Walla Walla, and Snake Indians. The Indians, thinking that the diseases were the result of witchcraft or poison introduced by the whites, prepared for a general attack upon them. During the war that ensued, nothing could be done to organize the diocese, and Bishop Blanchet and his clergy retired to Oregon City. In view of the situation, Gregory XVI established the new Diocese of Nesqually and transferred Bishop Augustine Magloire Alexander Blanchet to that See. The Diocese of Walla Walla was to be administered by the Archbishop of Oregon City, Francis Blanchet.¹

Summary: We have transferred A. M. A. Blanchet from the Diocese of Walla Walla to the new episcopal See of Nesqually. Lest the aforesaid Church of Walla Walla suffer from the lack of a pastor, We have judged it proper to appoint the Bishop of Oregon Apostolic Administrator of the diocese.

Therefore, We hereby appoint the Bishop of Oregon Administrator of Walla Walla and the adjoining regions of Coleville and Fort Hall until further provision be made for that diocese.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Apostolici muneris officium postulat, ut ecclesiarum vacantium regimini provideamus, ne pastoris orbatae praesidio detrimenti quidquam patiantur.

§ 2. Iamvero cum per similes has nostras in forma Brevis litteras ven. fratrem Maglorium Alexandrum Polanchet [Blanchet] Episcopum Walla-Wallensem a vinculo quo dictae ecclesiae tenebatur, apostolica nostra auctoritate solutum ad novam episcopalem ecclesiam Nesqualensem per nos erectam transtulerimus, ne memorata ecclesia Walla-Wallensis pastoris auxilio destituatur, de consilio venn. fratrum nos-

¹ Walla Walla was suppressed on July 29, 1853. Cf. Document 109.

trorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum Antistitem Oregonensem in administratorem apostolicum dietae ecclesiae provisoria ratione erigendum censuimus.

§ 3. Itaque certa scientia etc. Antistitem Oregonensem in apostolicum administratorem praefatae ecclesiae Walla-Wallensis cum adiectis regionibus de Calville et Fort-Halle ad nostrum et Sanctae Sedis arbitrium, donec aliter provideatur, eligimus et constituimus, illique proinde omnes et singulas facultates tribuimus atque impertimur ad huiusmodi munus implendum necessarias et opportunas. Mandamus igitur omnibus ad quos spectat seu spectabit, ut Antistitem Oregonensem in administratorem apostolicum dietae episcopalis ecclesiae adiectarumque regionum de Colville et Fort-Halle recipiant et admittant, donec aliter a Nobis et Apostolica Sede etc.

Datum Romae apud S. Petrum sub annulo Piscatoris die XXI. maii MDCCCL., pontificatus nostri anno IV.

Source: De Martinis, VI (1), 96.

No. 86.

PIUS IX

MAY 31, 1850

Summary: When the Archdiocese of Oregon was erected in 1846, the region of Nesqually was placed under it until it could be erected into a separate diocese. The same provision was made for Coleville and Fort Hall, although for the time being they were subjected to the Bishop of Walla Walla.

However, there are very grave reasons why the region of Nesqually should be erected into a diocese. Wherefore, We hereby, separate the aforesaid region of Nesqually from the Archdiocese of Oregon and erect it into a separate diocese.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Cum in Catholicae Religionis commoditatem atque incrementum archiepisc. sedem oregonensem ereximus, litteris ea de re datis die XXIV. iulii an. MDCCCXLVI. providimus ut eiusdem ecclesiae Antistiti nesqualensis regio provisorio modo subiecta existeret, quae deinde in dioecesim proprie dictam esset erigenda, idemque statuimus de regionibus Colville et Fort-Halle in episcopales ecclesias deinde constituendas, licet provi-

soria ratione Episcopo Valla-Vallensi in eadem provincia regendae traditae fuerint.

§ 2. Iamvero cum graves adsint rationes, quibus nesqualensis episcopalis ecclesia constituenda videtur, nos de consilio venn. fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum ad iam designatam eiusdem episcopalis ecclesiae erectionem deveniendum censuimus; itaque certa scientia et . . . memoratam nesqualensem regionem ab archidioecesi oregonensi separamus ac dismembramus, eamque in episcopalem ecclesiam erigimus et constituimus a proprio Antistite regendam ac moderandam.¹ Porro eiusdem episcopalis sic erectae Antistitibus omnia et singula iura, privilegia, facultates, tribuimus, quae ex iure vel consuetudine propria sunt Episcoporum.²

§ 3. Id statuimus etc.

Datum Romae apud S. Petrum sub annulo Piscatoris die xxxi. maii MDCCCL., pontificatus nostri anno iv.

Source: De Martinis, VI (1), 96.

No. 87.

PIUS IX

JULY 19, 1850

The period that followed the Sixth Provincial Council of Baltimore (1846), saw such an overwhelming increase in the number of the faithful in the United States that the bishops and priests throughout the land were barely able to minister even to their most pressing religious needs. When the Fathers of the Seventh Provincial Council of Baltimore convened on May 5, 1849, they realized the new burden which immigrants were placing upon them. The famine in Ireland, and the different revolutions through Europe sent a stream of newcomers to the United States, vast numbers of whom were Catholics. The important problem was how to control the flood and supply the immigrant with such spiritual ministrations that would effectively preserve his Faith.¹ The Catholic

¹ Bishop A. M. A. Blanchet was transferred from Walla Walla to the Diocese of Nesqually.

² The diocesan See was changed to Seattle on September 11, 1907.

¹ The Catholic population in 1830 was 318,000; in 1840, 663,000; and, in 1850, 1,606,000. Shaughnessy, G., *Has the Immigrant Kept the Faith?* (New York, 1925), 125, 134.

population following the trend of the period was moving continually westward and it was necessary that the Church keep pace with the ever-expanding frontier. These pressing needs of the time would be partly cared for by the erection of new provinces, dioceses and vicariates-apostolic. Such foundations divided the burden and placed leaders at strategic points throughout the country. The Bishops of the Seventh Provincial Council, therefore, petitioned the Holy See to establish three new Provinces, namely, New Orleans, New York, and Cincinnati, the Dioceses of St. Paul, Minnesota, Wheeling, Savannah, and the Vicariate-Apostolic of the Indian Territory. All of these requests were granted by the Holy See on July 19, 1850.

Summary: The Fathers of the Seventh Provincial Council of Baltimore have petitioned Us to erect the See of New Orleans into an Archiepiscopal See.

In compliance with this request, and on the advice of the Sacred Congregation, We, hereby, erect New Orleans into an Archiepiscopal See with the following as suffragans: Mobile, Natchez, Little Rock and Galveston.

PIUS PAPA IX.

Ad perpetuam rei memoriam.

Ad supremum Apostolicæ Sedis culmen nullis nostris meritis Divina clementia evecti, ex officio nostri muneris ad universalem Ecclesiam curas nostras intendentes, novas Metropolitanas Sedes erigimus, quando id in Religionis incrementum ac decus cedere intelligamus.

Jamvero, quum Ven. Frater Archiepiscopus Baltimorensis et Episcopi ex concilio VII Provinciali habito anno superiori, pro augmento Catholicorum et Episcoporum in Foederatis Americae Septentrionalis statibus Nobis supplicandum curaverint, ut Sedem Episcopalem Neo-Aurelianensem in Archiepiscopalem erigamus, quæ suffraganeas habeat Ecclesias Episcopales Mobiliensem, Natchetensem, Petriculanam seu de Little Rock et Galvestoniensem: Nos de consilio Ven. Fratrum Nostrorum S. R. E. Card. Propagandæ Fidei præpositorum, dictorum Antistitum votis obsecundandum censuimus.

Itaque, Motu proprio, certa scientia ac matura deliberatione Nostra, deque Apostolicæ auctoritatis plenitudine, prædictam Sedem Episcopalem Neo-Aurelianensem in Archiepiscopalem erigimus et instituimus cum facultatibus, juribus, prærogativis, quæ sedium Archiepiscopalium propriae sunt. Eidem porro Episcopali Ecclesiae Neo-Aurelianensi sic erectæ Suffraganeas esse volumus Episcopales Eccle-

sias Mobiliensem, Natchetensem, Petriculanam et Galvestoniensem, praevia alterius cujusque Metropolitici vinculi solutione, a quo vinculo dictas Episcopales Ecclesias auctoritate Apostolica dissolvimus, ac solutas declaramus.²

Porro hodierno Antistiti Neo-Aurelianensi ejusque successoribus omnia et singula jura, facultates, privilegia concedimus atque attribuimus, quae Metropolitani Antistites propria sunt.

Decernentes has Litteras firmas validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis, ad quos spectat vel pro tempore quandocumque spectabit, in omnibus et per omnia plenissime suffragari, ac irritum et inane, si secus super his a quoquam, quavis auctoritate, scienter vel ignoranter, contigerit attentari.

Non obstan. Nostra et Cancellariae Apostolicae regula de jure quaesito non tollendo, et quatenus opus est, fel. rec. Benedicti XIV Praedecessoris Nostri super divisione Materiarum, aliisque Apostolicis atque in Universalibus Provincialibusque et Synodalibus Conciliis editis generalibus vel specialibus Constitutionibus et Ordinationibus, necnon legis foundationis dictae Ecclesiae Neo-Aurelianensis, etiam juramento, confirmatione Apostolica vel quavis firmitate alia roboratis, statutis, consuetudinibus, privilegiis quoque indultis et Litteris Apostolicis Superioribus et personis sub quibuscumque tenoribus et formis ac cum quibusvis etiam derogatoriis derogatoriis, et aliis decretis in genere vel in specie, ac aliis in contrarium praedictorum quomodolibet concessis, approbatis et innovatis: quibus omnibus et singulis, illorum tenores praesentibus pro plene et sufficienter expressis ac de verbo ad verbum insertis habentes, illis alias in suo robore permansuris, ad praemissorum effectum hac vice dumtaxat, specialiter et expresse derogamus, ceterisque contrariis quibuscumque.

Datum Romae, apud S. Petrum, sub annulo Piscatoris, die 19 Julii 1850, Pontificatus nostri anno quinto.

Source: *Hernaez*, II, 798-799.

No. 88.

PIUS IX

JULY 19, 1850

Summary: The Fathers of the Seventh Provincial Council have petitioned Us to raise the See of Cincinnati to the dignity of an archdiocese.

In compliance with this request, We hereby erect the episcopal

² The first Archbishop of New Orleans was Anthony Blanc.

See of Cincinnati into an Archiepiscopal See. The episcopal Sees of Louisville, Detroit, Vincennes, and Cleveland shall be subject to the newly-erected Metropolitan See.

PIUS PP. IX

Ad perpetuam rei memoriam.

In Apostolicae Sedis fastigio, Deo sic volente, constitutis, deque Catholicae Religionis incremento sollicitis illud Nobis accidit perjurandum ut novas per Catholicum Orbem Metropolitanas Sedes pro re ac tempore constituamus. Jamvero quum Archiepiscopus Baltimorensis et Episcopi ex Concilio VII Provinciali anno superiori habito Nobis supplicandum curaverint, ut pro aucto Catholicorum, et Episcoporum numero in foederatis Americae Septentrionalis Statibus Episcopalem Sedem Cincinnatiensem in Archiepiscopalem erigamus, quae suffraganeas habeat Episcopales Ecclesias Ludovicopolitanam, Detroitensem, Vincennensem, et Clevelandensem, Nos de consilio VV. FF. NN. S. R. E. Cardinalium Propagandae Fidei praepositorum porrectis hujusmodi precibus obsecundandum censuimus. Itaque motu proprio, certa scientia, ac matura deliberatione Nostra, deque Apostolicae Auctoritatis plenitudine praedictam Episcopalem Ecclesiam Cincinnatiensem in Archiepiscopalem erigimus, et instituimus cum omnibus et singulis facultatibus, juribus, praerogativis, quae Sedium Archiepiscopalium propriae sunt.¹ Eidem porro Ecclesiae Cincinnatiensi in Archiepiscopalem sic erectae Suffraganeas esse volumus, ac decernimus Episcopales Sedes Ludovicopolitanam, Detroitensem, Vincennensem, et Clevelandensem praevia alterius cujusque vinculi Metropolitanici solutione, a quo vinculo dictas Episcopales Ecclesias Auctoritate Nostra Apostolica dissolvimus ac solutas declaramus. Porro hodierno Antistiti Cincinnatiensi, ejusque in posterum Successoribus omnia et singula jura, facultates, privilegia concedimus, atque attribuimus, quae Metropolitanis Antistitis propriae sunt. Decernentes has Litteras firmas, validas, et efficaces esse, et fore, suosque plenarios, et integros effectus sortiri ac obtinere, iisque ad quos spectat, et spectabit hoc, futurisque temporibus lenissime suffragari, sique in praemissis per quoscumque Judices Ordinarios, et extraordinarios etiam S. R. E. Cardinales, sublata eis, et eorum cuilibet quavis aliter judicandi, et interpretandi facultate judicari ac definiri debere, ac irritum et inane quidquid secus super his a quoquam quavis Auctoritate scienter vel ignoranter contigerit attentari. Non obstantibus Nostra et Cancellariae Apostolicae Regula de jure quaesito non tollendo, et quatenus opus est, fel. rec. Benedicti XIV Praed^{is} Nostri super Div^e Mat.—allisque Apostolicis, ac in Universalibus, Provincialibusque, et Synodalibus Conciliis editis generalibus vel specialibus Constitutionibus, et Ordinationibus necnon legis foundationis dictae Ecclesiae Cincin-

¹ The first Archbishop of Cincinnati was John B. Purcell.

natensis, etaim juramento, confirmatione Apostolica, vel alia quavis firmitate roboratis statutis, et consuetudinibus ceterisque contrariis quibuscumque. Datum Romae apud S. Petrum sub Annulo Piscatoris die XIX Julii Anno MDCCCL Pontificatus Nostri Anno Quinto.

Sources: Original in *Notre Dame Archives*, in Lamott, J. H., *History of the Archdiocese of Cincinnati, 1821-1921* (New York, 1921), p. 326-327; Hernaez, II, 782.

No. 89.

PIUS IX

JULY 19, 1850

Summary: Due to the great increase of the faithful in the United States, the Archbishop of Baltimore and his suffragans in the Seventh Provincial Council have petitioned Us to raise the Diocese of New York into a Metropolitan See, with the Sees of Boston, Hartford, Albany, and Buffalo as suffragans.

Wherefore, with Our Apostolic authority, We hereby erect the aforesaid See of New York into an Archdiocese with the above-mentioned dioceses as suffragan Sees. These latter Sees We dissolve from their former metropolitan bonds.

PIUS PP. IX.

ad perpetuam rei memoriam.

§ 1. Universi dominici gregis cura nobis licet immerentibus divinitus concredita illud exigit ut novas per catholicum orbem metropoliticas sedes erigamus, quando id C  tholic  e Religionis exquirat utilitas et incrementum.

§ 2. Iamvero, quum propter auctum, Deo favente, catholicorum et Episcoporum numerum in foederatis Americae Septentrionalis statibus venn. fratres Archiepiscopus Baltimorensis et Episcopi ex Concilio VII. provinciali superiori anno habito a nobis petendum curaverint, ut pro bono religionis episcopalem sedem Neo-Eboracensem in archiepiscopalem evehamus, quae suffraganeos habeat Episcopos Bostoniensem, Hartfordiensem, Albaniensem et Bustalonensem: Nos de consilio venn. fratrum nostrorum S. R. E. Cardinalium Propagandae Fidei praepositorum huiusmodi eorumdem Antistitum votis aequo animo obsecundamus. Itaque motu proprio, certa scientia, ac matura deliberatione nostra, deque apostolica auctoritatis plenitudine praedictam episcopalem sedem Neo-Eboracensem in archiepiscopalem erigimus atque

instituiamus cum omnibus et singulis facultatibus, iuribus, praerogativis, quae sedium archiepiscopaliū propriae sunt.

§ 3. Eidem porro archiepiscopali ecclesiae Neo-Eboracensi sic erectae, suffraganeos in posterum esse volumus Episcopos Bostoniensem, Hartfordiensem, Albaniensem et Bustalonensem, praevia alterius metropolitici cuiusque vinculi solutione, a quo vinculo memoratos Episcopos auctoritate nostra apostolica omnino dissolvimus ac solutos declaramus. Porro hodierno Antistiti Neo-Eboracensi eiusque in posterum successoribus omnia et singula iura, facultates, privilegia concedimus atque attribuimus, quae Metropolitanī Antistitis propria sunt.

§ 4. Decernentes has litteras firmas, validas et efficaces esse et fore, suosque plenarios et integros effectus sortiri et obtinere, iisque ad quos spectat et spectabit hoc futurisque temporibus, plenissime suffragari. Sicque per quoscumque iudices ordinarios et extraordinarios, etiam Sanctae Romanae Ecclesiae Cardinales, sublata eis et eorum cuilibet quavis aliter iudicandi et interpretandi facultate, iudicari ac definiri debere, irritumque et inane quidquid secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.

§ 5. Non obstantibus nostra et cancellariae apostolicae regula de iure quaesito non tollendo et, quatenus opus sit, felicis record. Bened. XIV. praedec. nostri super divisionem materiarum aliisque apostolicis ac in universalibus provincialibusque et synodalibus conciliis editis generalibus et specialibus constitutionibus et ordinationibus, nec non legis foundationis dictae ecclesiae Neo-Eboracensis etiam iuramento, confirmatione apostolica vel alia quavis firmitate roboratis statutis et consuetudinibus, caeterisque contrariis quibuscumque.

Datum Romae apud S. Petrum sub annulo Piscatoris die XIX. iulii MDCCCL., pontificatus nostri anno V.

Sources: De Martinis, VI (1), 98-99; Hernaez, II, 780.

No. 90.

PIUS IX

JULY 19, 1850

Summary: We raised the See of St. Louis to the dignity of an Archdiocese in 1847, with the instruction that the suffragan Sees be suggested in the next Provincial Council.

Since the Seventh Provincial Council of Baltimore has designated the Sees of Dubuque, Nashville, Chicago, and Milwaukee as suffragan Sees to the aforesaid Archdiocese, We, hereby, will and command that these Sees be subject to St. Louis as their Metro-

politan. These Sees are absolved from their former Metropolitan bonds.

PIUS PP. IX.

ad perpetuam rei memoriam.

§ 1. Iam inde ab anno MDCCCXLVII. nostris apostolicis in simili forma Brevis literis datis die XX. mensis iulii, quibus episcopalem sedem S. Ludovici in foederatis Americae Septemtrionalis statibus in archiepiscopalem ereximus, illud quoque mandavimus ut in proximo concilio provinciali Baltimorensi proponerentur nonnullarum ecclesiarum Episcopi, qui novae illi archiepiscopali ecclesiae veluti suffraganei auctoritate nostra apostolica addici possent.¹

§ 2. Cum itaque ex Baltimorensi Concilio VII. venn. fratres Archiepiscopus Baltimorensis, aliique, congregati Episcopi tamquam suffraganeos dictae metropoliticae sedi designaverint Episcopos Dubuquensem, Nashvillensem, Chicagiensem et Milevanchiensem, nos de concilio venerabilium fratrum nostrorum S. R. E. Cardinalium Propagandae Fidei praepositorum ad eorum suffraganeorum designationem probandam sancierendaque deveniendum censuimus.²

§ 3. Itaque motu proprio, certa scientia ac matura deliberatione nostra, deque apostolicae potestatis plenitudine, memoratos Episcopos, Dubuquensem scilicet, Nashvillensem, Chicagiensem et Milevanchiensem, suffraganeos esse in posterum volumus et mandamus metropolitanae ecclesiae S. Ludovici, praevia solutione cuiusque alterius metropolitici iuris a quo dictos Antistites auctoritate nostra apostolica dissolvimus ac solutos declaramus. Denique, ita constituta ecclesiastica provincia S. Ludovici, hodierno dictae metropolitanae ecclesiae Antistiti eiusque successoribus omnia et singula iura, facultates, privilegia attribuimus quae metropolitani Antistitis propria sunt.

§ 4. Non obstantibus nostra et cancellariae apostolicae regula de iure quaesito non tollendo, nec non, quatenus opus est, felicis recordationis Benedicti XIV. praedecessoris nostri, aliisque apostolicis atque in universalibus provincialibusque et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, nec non legis foundationis dictarum episcopalium sedium etiam iuramento, confirmatione apostolica aut quavis firmitate alia roboratis statutis et consuetudinibus, caeterisque contrariis quibuscumque.

Datum Romae, apud S. Petrum sub annulo Piscatoris, die XIX. iulii MDCCCL., pontificatus nostri anno IV.

Source: De Martinis, VI (1), 99.

¹ Cf. Document 83.

² *Petitio pro novis sedibus archiepiscopalibus erigendis*, in *CBH*, 281. The newly-created Diocese of St. Paul was likewise made a suffragan to St. Louis.

No. 91.

PIUS IX

JULY 19, 1850

Summary: Since the bishops gathered together at the Seventh Provincial Council of Baltimore have thought it opportune that an episcopal See be erected in the city of St. Paul, Minnesota, We have thought it fitting to accede to their wishes. Wherefore, We hereby, erect an episcopal See in the city of St. Paul which shall embrace the territory of Minnesota and shall be suffragan to the Archbishop of St. Louis.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Ex debito apostolici muneris, quod divinitus tenuitati nostrae commissum est, novas per catholicum orbem episcopales sedes erigimus, ut aucto nimirum pastorum numero dominici gregis incolumitati facilius consuli possit.

§ 2. Iamvero cum ven. fratres Episcopi in Concilio VII. Baltimorensi opportunum fore¹ pro re catholica et fidelium salute duxerint ut sedes episcopalis in oppido S. Pauli regionis Minesotae erigatur, quae Archiepiscopo S. Ludovici suffraganea sit, nos de religionis bono solliciti, de consilio venn. fratrum nostrorum S. R. E. Cardinalium Propagandae Fidei praepositorum, ad eiusmodi erectionem deveniendum existimavimus. Itaque motu proprio, certa scientia, ac matura deliberatione nostra, deque apostolicae potestatis plenitudine episcopalem sedem in oppido S. Pauli de Minesota² erigimus et constituimus, quae dictam regionem seu territorium de Minesota comprehendat, eamque episcopalem ecclesiam sic erectam suffraganeam esse volumus Archiepiscopi S. Ludovici. Denique Antistibus dictae episcopali ecclesiae praeficiendis omnia et singula iura, privilegia, facultates impertimur quae propriae sunt Episcoporum.

¹ The creation of the Diocese of St. Paul was agreed upon at the fourth private session of the Council, on May 11, 1849. *CBH*, 273.

² Joseph Cretin, the first Bishop of St. Paul, was born at Montluel, France, on December 19, 1799. He was ordained to the priesthood in 1823, came to the United States in 1838, and was consecrated bishop on January 26, 1851. He died in St. Paul, on February 22, 1857. Clarke, *Lives of Deceased Bishops*, II. 215-230; Ireland, "Life of Bishop Cretin", in *Acta et Dicta* of the St. Paul Catholic Historical Society, vol. IV, *passim*. St. Paul became a metropolitan See on May 4, 1888.

§ 3. Non obstantibus etc.

Datum Romae apud S. Petrum sub annulo Piscatoris die XIX. iulii MDCCCL., pontificatus nostri anno V.

Source: De Martinis, VI (1), 99-100.

No. 92.

PIUS IX

JULY 19, 1850

Summary: Since the Bishops of the Seventh Provincial Council of Baltimore have thought that the good of religion and the faithful might better be served if a new episcopal See suffragan to Baltimore were erected in the city of Wheeling, Virginia, We have thought it fitting to accede to their wishes.

Wherefore, We do hereby erect an episcopal See in the city of Wheeling.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Ad Apostolicam Sedem nullis nostris meritis evecti, pro muneris nostri officio novas episcopales sedes per catholicum orbem erigimus, ut pastorum aucto numero dominici gregis incolumitati facilius consulatur.

§ 2. Iamvero quum ven. fratres Episcopi Concilii Baltimorensis VII. utile admodum fore duxerint pro religionis et fidelium bono, ut nova sedes episcopalis Archiepiscopi Baltimorensis suffraganea in oppido Weeling,¹ status Virginiae, erigatur, quae ultra montes Alleghianos occidentem versus iacet, nempe a comitatu Randolph una cum comitatibus Pocahontes, Greerbrier Monroe, Giles, Montgomens et Illoid usque ad comitatum Caroll inclusive, nos de consilio venn. fratrum nostrorum Sanctae Romanae Ecclesiae Cardinalium Propagandae Fidei praepositorum ad eiusmodi erectionem deveniendum existimavimus.²

§ 3. Itaque motu proprio, certa scientia, ac matura deliberatione nostra, deque apostolicae potestatis plenitudine novam episcopalem sedem erigimus et constituimus in oppido Weeling status Virginiae,

¹ The creation of the Diocese of Wheeling was agreed upon at the fourth private session of the Council, May 11, 1849. *CBH*, 273.

² Richard V. Whelan, first Bishop of Wheeling, was born in Baltimore, on January 28, 1809. He was ordained to the priesthood in 1831, was consecrated Bishop of Richmond on March 21, 1841, and was transferred to Wheeling in 1850. He died on July 7, 1874. Clarke, *Lives of Deceased Bishops*, III, 108-116.

quae scilicet ultra montes Alleghianos occidentem versus iacet, scilicet a comitatu Randolph una cum comitatibus Pocahontes Greembier Monroe Giles Montgomery et Illoid usque ad comitatum Caroll inclusive. Antistibus vero dictae episcopali ecclesiae praeficiendis omnia et singula iura, privilegia, facultates impertimur quae propriae sunt Episcoporum.

§ 4. Non obstantibus etc.

Datum Romae apud S. Petrum sub annulo Piscatoris die XIX. iulii MDCCCL., pontificatus nostri anno v.

Source: De Martinis, VI (1), 100.

No. 93.

PIUS IX

JULY 19, 1850

Summary: Since the Bishops of the Seventh Provincial Council of Baltimore have thought it opportune that an episcopal See should be erected in the city of Savannah, suffragan to Baltimore, having sought the counsel of the Sacred Congregation, We have thought it fitting to grant their petition.

Therefore, We hereby erect an episcopal See in the City of Savannah, which shall embrace the State of Georgia, and likewise that of Florida to the Appalachian River. The See shall be suffragan to Baltimore.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Exigit pastorale munus in universam ecclesiam humilitati nostrae divinitus commissum, ut pro incolumitate dominici gregis per episcopali sedium erectionem pastorum numerum augeamus.

§ 2. Iamvero quum venerabiles fratres Concilii VII. Baltimorensis pro ecclesiae bono atque incremento opportunum admodum duxerint, si episc. sedes in civitate Savannah¹ pro statu Georgiae edigatur, quae eundem statum comprehendat, nec non et Floridam usque ad flumen Apolicholam [Apalachicola] quoque suffraganea existat Archiepiscopi Baltimorensis, eaque de re enixas nobis preces deferendas curaverint; nos de consilio venn. fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum ad eiusmodi erectionem adveniendum existimavimus.

¹ The creation of an episcopal See at Savannah, Georgia, was decided upon at the second private session of the Council, on May 8, 1849. *CBH*, 270.

§ 3. Itaque motu proprio, certa scientia ac matura deliberatione nostra, deque apostolicae potestatis plenitudine episcopalem sedem in civitate Savannah erigimus et instituimus, quae statum Georgiae comprehendat, nec non et Floridam usque ad flumen Apolicholam, quae intra limites ecclesiasticae provinciae Baltimorensis uti suffraganea contineatur. Denique antistitibus dictae ecclesiae sevannahensi praeferendis omnia et singula iura, privilegia, facultates impertimur quae propriae sunt Episcoporum.²

§ 4. Non obstantibus nostra et cancellariae apostolicae regula de iure quesito non tollendo, et, quatenus opus est, felicitis recordationis Benedicti XIV. praedecessoris nostri super divisione materiarum, aliisque apostolicis atque in universalibus provincialibusque et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, caeterisque contrariis quibuscumque.

Datum Romae aput S. Petrum sub annulo Piscatoris die xix. iulii MDCCCL., pontificatus nostri anno v.

Source: De Martinis, VI (1), 100-101.

No. 94.

PIUS IX

JULY 19, 1850

Summary: The Bishops in the Seventh Provincial Council of Baltimore have signified their desire that a vicariate-apostolic be established for the territory east of the Rocky Mountains, but not within the limits of Arkansas, Missouri, and Minnesota, which should be ruled by a prelate endowed with the episcopal character. We, therefore, erect a new Vicariate-Apostolic for the above-mentioned territory, to be governed by a titular bishop.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Postulat apostolici muneris officium, quod humilitati nostrae divinitus commissum est, ut pro Religionis bono novos per longinquas

² The first Bishop of Savannah, Francis Gartland, was born in Dublin, Ireland, on January 19, 1805. He was ordained to the priesthood on August 5, 1831, became Vicar-General of the Diocese of Philadelphia in 1845, and was consecrated Bishop of Savannah on November 10, 1850. He died on September 12, 1854. Clarke, *Lives of Deceased Bishops*, II, 408-414; O'Connell, *Catholicity in the Carolinas and Georgia* (New York, 1879), *passim*.

regiones vicariatus apostolicos cum opportunum sit erigamus. Iamvero cum ven. fratres foederatorum statuum Americae Septentrionalis in Concilio VII. provinciali catholicae fidei incremento plurimum expedire putaverint, atque adeo votum suum significaverint, ut vicariatus apostolicus instituat pro regione seu territorio quod versus orientem Saxosorum montium (*Rocky Mountains*)¹ in foederatis Americae Septentrionalis statibus iacet, neque includitur intra limites statuum Arkansas, Missouri terra vel territorii Minesota, qui vicariatus committatur praesuli ad gradum episcopalem titulo in partibus infidelium evehendo: Nos, de consilio venn. fratrum nostrorum S. R. E. Cardinalium Propagandae Fidei praepositorum, ad huiusmodi erectionem deveniendum existimavimus.²

¹ The Vicariate-Apostolic of the Indian Territory became the Diocese of Leavenworth, Kansas, on May 22, 1877. Cf. Document 152.

² John Miede, S.J., appointed to the vicariate, was born at La Foret, Savoy, Italy, on September 18, 1815. He entered the Society of Jesus in 1836, was ordained to the priesthood in 1847, and was consecrated titular Bishop of Messene, on March 25, 1851. He resigned his vicariate in 1874, and died on July 21, 1884. Clarke, *Lives of Deceased Bishops*, III, 611-625. Shea IV, *passim*. Miede received the following Brief from the Holy See appointing him vicar-apostolic, absolving him from the obligation of not receiving dignities outside the Society etc.:

Dilecto filio Ioanni Miede Societatis Iesu,

PIUS PAPA IX.

Dilecte fili,

salutem et apostolicam benedictionem.

§ 1. Quum per similes nostras apostolicas litteras pro territorio quod versus orientem Saxosorum montium (*Rocky Mountains*) in foederatis Americae Septentrionalis statibus iacet, neque includitur intra limites statuum Arkansas, Missouri, Iowa et territorii Minesota, novum vicariatum apostolicum erexerimus, de idonea persona ducimus cogitandum cui dicti vicariatus regimen demandaremus. Porro cum de tua probitate, zelo ac doctrina certum habuerimus a venerabilibus fratribus Episcopis in Concilio Baltimorensi VII. congregatis testimonium, de consilio venerabilium fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum, te ad regimen dicti novi vicariatus cum caractere episcopali titulo Ecclesiae in partibus infidel. admovendum existimavimus.

§ 2. Te igitur a quibusvis excommunicationis, suspensionis et interdicti, aliisque ecclesiasticis sententiis, censuris ac poenis quovis modo vel quacumque de causa latis, si quas forte incurristi, huius tantum rei gratia absolventes ac absolutum fore censentes, te hisce litteris novi vicariatus superius memorati Vicarium Apostolicum eligimus et constituimus cum omnibus et singulis facultatibus ad huiusmodi munus necessariis et opportunis, praevia tamen dispensatione ac solutione a regula constitutionum

§ 2. Itaque motu proprio, certa scientia ac matura deliberatione nostra, deque apostolicae potestatis plenitudine novum vicariatum apostolicum erigimus et instituimus pro regione seu territorio quod versus orientem Saxosorum montium seu Rocky Mountains in foederatis Americae Septentrionalis statibus iacet, nec includitur intra limites statuum Arkansas, Missouri, terra vel territorii Minesota, qui vicariatus sic erectus ab Antistite regatur episcopali aucto dignitate titulo ecclesiae in partibus infidelium.

§ 3. Non obstantibus etc.

Datum Romae apud S. Petrum sub annulo Piscatoris die XIX. iulii MDCCCL., pontificatus nostri anno v.

Source: De Martinis, VI (1), 101-102.

Societatis sive obligatione de non admittenda excipiendaque ulla extra Societatem praelatione seu dignitate, itemque praevia solutione a voto per sacerdotes professos emitti solito, quatenus tu professus existas, de non recusando scilicet consilio Praepositi Generalis Societatis vel eius Delegati in commissi sibi muneris exercitio, si quando ad alicuius ecclesiae regimen eligantur. Porro omnino volumus ac mandamus, ut Vicarius Apostolicus existens etiam Regularis sis ac primarius in missione superior presbyterorum tuae Societatis, atque adeo iuxta instituti regulas, in iis quae ad disciplinam regularem pertinent, missionarios modereris ac regas, item auctoritate nostra apostolica stricte tibi iniungimus ac mandamus ut in gubernio missionis et in administratione fundorum et pecuniarum quovis titulo obvenientium omnia ex sententia S. Congregationis de Propaganda Fide peragere omnino debeas, ad eamque singulis trienniis de vero statu missionis referre tenearis, tum circa spirituales tum circa temporales res ipsam respicientes, tuam conscientiam super his omnibus onerando. Utque haec omnia alacriter adimplere valeas, de auctoritate nostra apostolica a quacumque prorsus obligatione dissolvimus ac liberamus per professionem regularem suscepta, quae cum praesentibus praescriptionibus minime cohaereat.

§ 3. Mandamus igitur omnibus ad quos spectat seu spectabis, ut te ad officium Vicarii Apost. recipiant et admittant tibi in omnibus quae ad huiusmodi munus pertinent, faveant, pareant ac praesto sint, tuaque mandata ac salutaria praecepta reverenter suscipiant et efficaciter adimpleant, secus sententiam seu poenam quam rite tuleris seu statueris in rebelles, ratam habebimus ac faciemus auctorante Domino usque ad satisfactionem condignam inviolabiliter observari.

§ 4. Non obstantibus etc.

Datum Romae apud S. Petrum sub annulo Piscatoris die XXIII. iulii MDCCCL., pontificatus nostri anno v.

De Martinis, VI(1), 101, note.

No. 95.

PROPAGANDA TO ECCLESTON

AUGUST 9, 1850

The Seventh Provincial Council of Baltimore convened on May 5 and closed on May 13, 1849. In the civic upheaval which had occurred in Rome shortly before, Pius IX was forced to flee to Gaeta. When it was announced that His Holiness would visit France, the bishops of the United States invited him to extend his visit to America and preside at the Seventh Provincial Council. The answer of Pius IX to this invitation is one of the most interesting letters that ever passed between Rome and the American hierarchy.¹ At the close of the Council, Bishop Portier, of Mobile,

¹*PIUS PP. IX.*

Venerable Brother, health and apostolic benediction:

We have received with the greatest pleasure the expression of your particular regard and love for us, and, well aware of your religion and faith in the Church, we are not surprised to learn, that the momentous trials which the head of the Church, the Roman pontiff, has to contend with, have filled you, venerable brother, with the most bitter grief. Although our afflictions would overpower us, without a special assistance from God, yet being able to do all things in Him who strengtheneth us, we are prepared to suffer most cheerfully any kind of tribulation, if our labors will only contribute to the peace, advantage and safety of the Church. And having the divine promise that Christ the Lord will be with His Church to the consummation of the world, and that the gates of hell will never prevail against it, we are exceedingly animated and encouraged by this belief, and amidst the most trying difficulties we experience a great consolation, while we wait for assistance from above. God, indeed, will not be wanting to his promises: commanding the winds and the sea, He will make peace, and will show, as you have well said, venerable brother, that the present dreadful storm has been raised, for manifesting the greater glory of His name, and achieving the more brilliant triumph of His holy Church. As you have signified your earnest wish, that we should assist at the Provincial Council, which you are about to hold, according to custom, with our other venerable brethren, the bishops of the United States of America, be assured that nothing could afford us more pleasure, nothing could be more grateful to our heart, than to enjoy the presence and conversation of yourself and the same venerable brethren, to embrace you all with affection, to express to you the sentiments of profound regard which we entertain for each one of you, and to congratulate you upon the pastoral zeal for which you are distinguished, and the well-known solicitude with which you labor so assiduously,

was chosen to take the *Acta et Decreta* of the Council to the Supreme Pontiff at Gaeta and to express to him their sorrow over the evils that had fallen upon the Holy See. The Sacred Congregation wrote to the American hierarchy on August 9, 1850, formally announcing the creation of the new episcopal Sees requested by the Council.

Summary: There is hardly any need to excuse the delay in sending you the judgment of the Congregation on the Council of 1849. As soon as matters were sufficiently settled to admit our usual sessions, I immediately proposed a discussion of the *Acta* of the Council. The creation of the new provinces and episcopal Sees was approved by the Supreme Pontiff and the incumbents appointed.

Supervacaneum arbitror immorari in causis enarrandis, ob quas tamdiu iudicium de Concilio superiori anno habito fuerit dilatatum: id enim ex gravissimâ tempestate quæ Romanam Ecclesiam afflixit repetendum Amplitudo tua ceterique Episcopi probè noscunt. Cùm verò S. Congregationi conventus de more suos iterùm celebrare licuit, curam adhibui ut de rebus in Synodo gestis, quamprimùm negotiorum moles permetteret, deliberatio institueretur. Accipe itaque S. Congregationis decretum à SSmo Dño Nostro probatum, quo *Acta et Decreta* prædicti Concilii VII Baltimorensis probantur et confirmantur: peculiari verò instructione ea declarare necesse fuit, quæ super iisdem Decretis animadvertenda visa sunt.

Erectio novarum Provinciarum, cum designatione Suffraganeorum tam pro novis Sedibus Archiepiscopalibus quàm pro Archiepiscopali Sede S. Ludovici jam antea erectâ, prout Episcopi suggerebant ac postulabant, ex voto S. Congregationis, à SSmo Dño Nostro probata est, ac litteræ Apostolicæ Metropolitæ traduntur.

in the discharge of your functions, to extend the glory of God, to promote our most holy religion, and to secure the salvation of the beloved flocks committed to your care. But, as in the existing times and circumstances, it would be impossible for us to comply with your invitation, as your wisdom will easily understand, venerable brother, we request you to make known to the prelates these sentiments of our mind, and to inform them of the apostolical benediction, which from our inmost heart we affectionately impart to you, to them, to all the clergy of that country, and to all your faithful people.

Given at Gaeta, the 8th day of March, 1849, in the third year of our pontificate.

De Montor, A., *Lives and Times of the Roman Pontiffs* (New York, 1871), II, 914-915.

Constitutæ pariter novæ Ecclesiæ in Savannahensi, Wheelingensi, ac S. Pauli de Minnesotâ Civitatibus: cumque duæ priores Ecclesiæ ad istam Baltimorem Provinciam pertineant, documenta Amplitudini tuæ traduntur, ut ad electos Episcopos perferenda cures. Idem verò censui præstandum de aliis litteris quæ respiciunt erectionem novorum Vicariatuum Apostolicorum, ut ad electos Antistites tutò perveniant.

Ad Provinciam pariter istam pertinent Episcopi Richmondensis, Pittsburgensis et Philadelphiensis: proinde litteras Apostolicas quibus presbyter JOANNES MCGILL Episcopus Richmondensis constituitur, necnon decretum quo limites diœcesium Pittsburgensis et Philadelphiensis aliâ ratione, ex voto Antistitum designantur, pariter Amplitudini tuæ tradendas duxi.

Quod demùm pertinet ad Ecclesiam de *Monterey* in Californiâ, jam certè innotuit novum illius Episcopum, R. P. D. JOSEPHUM SADOCALEM, Romæ consecrationem Episcopalem suscepisse: idem verò jam hinc est profectus ut suam petat Ecclesiam, de cujus suffragii jure nil est immutatum.

Superest ut Amplitudini tuæ singulare præbeam approbationis testimonium ob ea quæ pro Religionis incremento in Synodo gesta sunt. Si enim eo nomine omnes generatim Antistites qui participes illius extiterunt, commendandi videntur; tuâ certè imprimis operâ factum existimo ut, privatis studiis sepositis, maxima animorum consensio extiterit, atque utiliora pro Ecclesiâ Dei consilia omnibus faciliè probata extiterint. Precor interim Deum ut te diù sospitem incolumemque servet.

Romæ, ex Ædibus S. Congregationis de Propag. Fide, die 9 Augusti 1850.

Source: *CBH*, 288-289.

No. 96.

PIUS IX TO ARCHBISHOP KENRICK

AUGUST 29, 1851

It had been decided in the Seventh Provincial Council of Baltimore (1849) to solicit the Holy See for permission to hold a Plenary or National Council in 1850.¹ The Holy See acceded to this request but decided that the Council should be held in 1852.² The Council was convoked by the following letter of Pius IX to Archbishop Kenrick in which the latter was appointed Apostolic

¹ The Seventh Decree of the Council, *CBH*, 279.

² A Plenary or National Council can only be convened by permission of the Holy See. This permission is not required for Provincial Councils.

Delegate to preside over the First Plenary Council in the United States.

Summary: Since the Bishops of the United States have petitioned Us to hold a Plenary Council, We have thought it fitting to accede to their request, and, with the counsel of the Sacred Congregation, We consider you as the proper person to be chosen as Apostolic Delegate, on account of your knowledge of Canon Law, zeal for the Faith, and devotion to the Holy See. We, therefore, appoint you as Apostolic Delegate to preside at the above-mentioned Plenary Council.

Venerabili fratri Francisco Patritio Kenrik Archiepiscopo Baltimorensi,

PIUS PP. IX.

Venerabilis frater, salutem et apostolicam benedictionem.

§ 1. In Apostolicæ Sedis fastigio Deo sic volente collocati, quæ ad rectam disciplinæ rationem in Ecclesia statuendam tuendamque pertinent, illa ex apostolici nostri muneris officio probanda ac promovenda censemus.

§ 2. Quum igitur venn. fratres Antistites foederatorum statuum Americae Septentrionalis a nobis petierint ut plenarium haberi possit concilium³ ex omnibus regionis illius Episcopis ea potissimum de causa, ut collatis consiliis proponantur quæ ad disciplinæ uniformitatem servandam opportuna esse possint, nos communibus eorundem Antistitum votis adnuendum duximus ac de consilio venn. fratrum nostrorum S. R. E. Cardinalium Propagandæ Fidei præpositorum te in delegatum apostolicum eligendum existimavimus, ut concilio eidem præsis, quippe quod de singulari tua in ecclesiasticis disciplinis peritia, catholice fidei zelo et obsequio erga Apostolicam Sedem praeclara habemus argumenta. Te igitur quem ob eadem illustria merita ab episcopali sede Philadelphensi ad archiepiscopalem ecclesiam Baltimoreensem per similes nostras apostolicas literas hoc ipso die datas transtulimus, in Delegatum Apostolicum eligimus, constituimus et renuntiamus ad præsidendum memorato plenario concilio cum omnibus et singulis facultatibus necessariis et opportunis iuxta instructiones per Congregationem Propagandæ Fidei tibi transmittendas, potissimum vero ut acta ac decreta ad Sedem Apostolicam mittenda cures, quatenus iudicium de iis proferri valeat, ac si visum fuerit comprobentur.

§ 3. Hoc decernimus et mandamus, non obstantibus apostolicis atque in universalibus provincialibusque et synodalibus conciliis editis gen-

³ Seventh Decree of the Seventh Provincial Council (1849), *CBH*, 279.

eralibus vel specialibus constitutionibus et ordinationibus, caeterisque contrariis quibuscumque.

Datum Romae, apud S. Petrum sub annulo Piscatoris die XXIX. augusti MDCCCLI., pontificatus nostri anno VI.

Sources: De Martinis, VI (1), 121-122; *CPB* I, 3-4.

No. 97.

PIUS IX TO THE AMERICAN HIERARCHY

JULY 27, 1852

The First Plenary Council of Baltimore assembled on May 8, 1852, and closed on May 20.¹ It was the most colorful and impressive religious assembly the New World had ever witnessed. The growing flood of immigration had reached high tide by the time the Council convened, and the diocesan Sees established since 1849 were inadequate to meet the demands of the faithful. The administration of Church affairs and the guidance of the faithful were the chief problems before the assembled Fathers. In their letter of May 19, 1852, to Pius IX, the American bishops describe the significant increase in the number of the faithful here since the Provincial Council of 1849 and the encouraging spirit of coöperation shown by priests and people throughout the country. They again assured the Sovereign Pontiff of the loyalty of all to the Holy See and their admiration of his courage in the recent political disturbances in Italy.² Pius IX, in response to this letter, marveled at the growth of the Church in America, praised the bishops for their zeal, and assured them of his deep interest in and love for this part of the Lord's vineyard.

Summary: We have read with great pleasure the letter which you sent to Us after the First Plenary Council of Baltimore. From your letter We have learned with joy how God has designed to bless your labors so that our holy religion is daily increasing in those regions. You may easily understand how welcome a messenger your letter was, for We have been deeply distressed by the

¹ *CPB* I, 12, 39.

² *Ibid.*, 53-56.

many wounds inflicted upon the Spouse of Christ in so many other places. We congratulate you exceedingly and praise you for your zeal which has left nothing undone to win all to Christ. We doubt not that borne up by the grace of God you will continue your labors for the good of priests and people. Regarding the *Acta* of the Council, you will receive an answer from the Sacred Congregation.

Do not cease, beloved Brethren, to pray fervently that We in Our weakness may be helped by God in these unholy times. And We shall not omit to beseech the Divine Clemency to pour forth grace upon you and your flock.

Venerabilibus fratribus Archiepiscopis, Episcopis et Vicariis Apostolicis in foederatis Americae septentrionalis provinciis,

PIUS PP. IX.

Venerabiles fratres, salutem et apostolicam benedictionem.

Maximâ animi nostri laetitiâ vestras legimus literas die XIX. proximi mensis maii in exitu Baltimorensis Concilii hoc anno a vobis concelebrati ad nos datas, in quibus undique elucet egregia vestra religio, pietas ac singularis erga personam humilitatis nostrae et hanc Petri cathedram omnium ecclesiarum matrem et magistram fides, amor et observantia.³ Ex iisdem enim literis summo certe nostri cordis gaudio novimus, divitem in misericordiâ Deum vestris postoralibus curis et laboribus ita benedicere esse dignatum, ut sanctissima nostra religio eiusque salutaris doctrina in istis provinciis maiora in dies incrementa suscipiens, ubique vigeat et floreat. Qui quidem laetissimus nuntius quantam nobis attulerit consolationem vel facile intelligere potestis, venn. fratres, cum haud ignoretis, quo acerbissimo conficiamur dolore ob crebra, quae afflictae Christi Sponsae in tot aliis locis infliguntur, vulnera. Quamobrem, dum humillimas maximasque Deo totius consolationis agimus gratias, quod in istis regionibus, divinâ eius aspirante gratiâ, catholicus populus augeatur, vobis vehementer gratulamur meritasque tribuimus laudes, venn. fratres, quod sacerdotali zelo incensi nullis neque curis neque laboribus neque consiliis parcendum esse ducitis, ut omnes Christo lucrificare possitis. Ac plane non dubitamus, quin caelestis gratiae ope freti, ac laborantes veluti boni milites Christi Iesu, pergatis maiore usque alacritate ministerium vestrum implere, et omnia conari, ut quotidie magis ecclesiastici viri morum gravitate, vitae sanctitate praelu-

³ The Decrees of the Council were approved with emendations by the Sacred Congregation on August 30, 1852. Pius IX gave his approval in an audience on September 5, and the decree of the Sacred Congregation was expedited on September 29, 1852. *CPB* I, 56-57.

ceant, ut fidelis populus ad pietatem excitetur, ut vitiorum germina radicibus evellantur, ut seductionis pericula propulsentur, ut tenerae adolescentium mentes et cerea corda sanctissimae nostrae religionis praeceptionibus tempestive imbuantur, atque ad honestatem omnemque virtutem mature fingantur, ut veneranda Ecclesiae iura sarta tecta habeantur. Iam vero, quod attinet ad commemorata Concilii acta.⁴ responsum a nostrâ Propagandae Fidei Congregatione accipietis, cui acta ipsa cognoscenda mandavimus ac nostram super illis mentem significavimus. Ne desinatis, venn. fratres, Deo opt. max. assiduas fervidasque exhibere preces, ut infirmitatem nostram in hac tantâ temporum iniquitate sub immenso ac formidando supremi apostolatus pondere laborantem omnipotenti suâ virtute adiuvet, roboret atque confirmet, omnesque actus nostros ad maiorem Ecclesiae suae sanctae utilitatem dirigat. Nos quidem haud omittimus ipsum clementissimum misericordiarum Patrem enixe orare et obsecrare, ut uberrima suae bonitatis dona super vos propitius semper effundat, quae in dilectas quoque oves vestrae curae commissas copiose descendant. Atque huius superni praesidii auspicem, et flagrantissimae nostrae in vos caritatis aequae ac studiosissimae voluntatis testem, accipite apostolicam benedictionem, quam ex imo corde depromptam vestrum singulis et omnibus istarum ecclesiarum clericis laicisque fidelibus peramanter impertimur.⁵

Datum Romae apud S. Petrum sub annulo Piscatoris die xxvii. iulii MDCCCLII., pontificatus nostri anno vii.

Source: De Martinis, VI (1), 144-145.

No. 98.

PIUS IX

JULY 29, 1853

The year immediately following the First Plenary Council of Baltimore saw the Church in America expanding her organization throughout the land to meet the needs of an ever-increasing population. In the East, Sees were established in Portland, Burlington, Brooklyn, and Newark; on the borderline to the West, Erie and Covington were established; in the Middle West, Quincy and

⁴ The Council had asked the Holy See to give the privilege of prerogative of place to the Metropolitan See of Baltimore, but this favor was only granted in 1858. Cf. Document 118, note 3.

⁵ The *Acta et Decreta* of the Council together with the responses of the Holy See are given in *CPB* I, 3-64; *Coll. Lac.*, III, 129-154; the *Pastoral Letter* is given *ibid.*, 1143 ff.

Nachitoches were founded; Upper Michigan, in the Northwest became a vicariate-apostolic; and in the Far West, San Francisco was erected into a Province, and Santa Fe became an episcopal See, while the See of Walla Walla was suppressed.¹ These new foundations were made by the Holy See at the request of the First Plenary Council of Baltimore in 1852.

Summary: We are aware that the extensive Diocese of Chicago is in need of the sollicitude of more than one bishop. We have been informed, likewise, of this fact by the Fathers of the First Plenary Council of Baltimore who have petitioned Us to detach a part of the diocese and erect therein a new episcopal See.

In compliance with their request, and with the advice of the Sacred Congregation, We hereby detach the southern part of the State of Illinois from the Diocese of Chicago and erect the territory thus detached into a separate diocese, whose episcopal See shall be in the city of Quincy. The new See shall be suffragan to St. Louis.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. In suprema militantis Ecclesiae tamquam specula collocati, unde catholicum quam late patet orbem circumspiciamus, ad longinquas regiones oculos mentemque convertimus, ut illic christiani gregis saluti quoad nobis datum est, consulamus.

§ 2. Iamvero dioecesim Chicagiensem in Foederatis Americae Septentrionalis Statibus adeo late patere novimus, ut regendis curandisque fidelibus unius pastoris sollicitudo haudquaquam sufficiat. Id porro

¹The population of the Church in the United States increased from 1,606,000 in 1850 to 3,103,000 in 1860. The greatest national development during this period was in the West, the center of population having moved 80.6 miles westward during these ten years. The great increase in the Catholic population during the years from 1840 to 1860 heavily taxed the resources of the Church in ministering to their spiritual needs but "Rome was forehanded in her care of the Church here and the hierarchial machinery was made ready even before the great tide of increase swept in upon us" (Shaugnessy, *Has the Immigrant Kept the Faith?*, 134, 145). Help was received from abroad through the different missionary societies of Munich, Lyons, and Vienna. Cf. Roemer, T., "The Leopoldine Foundation and the Church in the United States," in *Historical Records and Studies* (New York, 1933); Hickey, E. J., *The Society for the Propagation of the Faith: its Foundation, Organization and Success* (Washington, 1922).

compertum etiam habentes tum hodiernus Antistes Chicagiensis tum Archiepiscopi et Episcopi omnes in plenaria Baltimorensi Synodo congregati preces nobis porrigendas curarunt, ut parte aliqua a Chicagiensi dioecesi seiuncta novam ex ea dioecesim erigamus. Nos igitur probe noscentes aucto pastorum numero melius provisum iri saluti ac securitati ovium, fieri haud potuit quin huiusmodi votis precibusque adnueremus.

§ 3. Itaque, rebus omnibus accurate perpensis, de consilio venn. fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum, certa scientia ac matura deliberatione nostra deque apostolicae potestatis plenitudine, a dioecesi Chicagiensi regionem separamus ac dividimus, his comprehensam limitibus, nimirum incipiendo a flumine Mississippi usque ad flumen Walabah sequendo lineam Septentrionalem comitatum Adams, Marquette, Brown, Cars [Cass], Menard, Sangamon, Macon, Moutrie [Moultree], Coles et Edgar; hanc porro descriptam regionem in peculiarem dioecesim erigimus, eiusque sedem episcopalem in civitate Quinus constituimus, a cuius civitatis nomine dioecesis sive ecclesia episcopalis Quinusnensis nuncupabitur. Hanc porro novam sic erectam ecclesiam suffraganem esse volumus archiepiscopalis ecclesiae S. Ludovici, donec aliter ab Apostolica Sede decernatur; episcopali vero eidem ecclesiae eiusque Antistitibus omnes et singulas facultates, praerogativas, honores, officia volumus attributa, quae ex iure vel consuetudine episcopalium sedium et Episcoporum propria sunt.²

§ 4. Hoc volumus, decernimus, mandamus, non obstantibus nostra et cancellariae apostolicae regula de iure quaesito non tollendo, nec non, quatenus opus est, Benedicti PP. XIV. praedecessoris nostri super div. Mat. aliisque apostolicis ac in universalibus provincialibusque et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, nec non peculiari atque expressa mentione dignis in contrarium facientibus quibuscumque.

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris die XXIX. iulii MDCCCLIII., pontificatus nostri anno VIII.

Source: De Martinis, VI (1), 181-182.

² Very Rev. Joseph Melcher, Vicar-General of St. Louis, was appointed Bishop of Quincy, but he declined the office. The diocese was administered by the Bishop of Chicago until 1857, when the episcopal See was transferred to Alton, and Henry D. Juncker appointed Bishop. He was born in Lorraine, France, on August 22, 1809, came to the United States and was ordained to the priesthood at Cincinnati on March 16, 1843. He was consecrated Bishop of Alton on April 26, 1857 and died on October 2, 1868. Shea IV, 625-629; Clarke, *Lives of Deceased Bishops*, II, 529-535.

No. 99.

PIUS IX

JULY 29, 1853

Summary: The Fathers of the First Plenary Council of Baltimore have petitioned Us to detach a part of the extensive Diocese of Boston and erect therein a new episcopal See. Wherefore, on the advice of the Sacred Congregation, We hereby detach the States of Maine and New Hampshire from the Diocese of Boston and erect the territory thus detached into a separate diocese whose episcopal See shall be in the city of Portland. The new See shall be suffragan to the Archbishop of New York.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Apostolicae servitutis officium quo sic volente Domino fungimur in Ecclesiae universae regimine, illud exigit ut novas per terrarum orbes ecclesias erigamus, quando ea res incolumitati catholici gregis videatur expedire. Iamvero venn. fratres Archiepiscopi et Episcopi in plenaria Synodo Baltimorensi novissime congregati supplicandum nobis curarunt, ut, cum nimis pateat dioecesis Bostoniensis, duos ex ea status, nimirum Maine et New Hampshire, sejungamus, ex eisque novam episcopalam sedem erigamus, cuius sedes constituatur in urbe Portland, ubi plures adsunt fideles catholici et ubi novus Antistes suam tueri dignitatem et commissam dioecesim facili ratione poterit moderari.¹

§ 2. Nos porro, attenta commoditate quae exinde manare queat ad curandam fidelium salutem, de consilio venerabilium fratrum nostrorum Sanctae Romanae Ecclesiae Cardinalium Propagandae Fidei praepositorum huiusmodi precibus aequo animo censuimus adnuendum. Igitur certa scientia ac matura deliberatione nostra, deque apostolicae potestatis plenitudine, supramemoratos status Mair [Maine] et New Hampshire² [Hampshire] a dioecesi Bostoniensi perpetuum in modum sejungimus ac dismembramus, novamque episcopalem ecclesiam erigimus, quae ex iisdem duobus statibus constet, et cuius episcopalem sedem in urbe Portland constituimus. Volumus praeterea et auctoritate apostolica mandamus ut nova haec Portlandensis ecclesia provisorie ratione

¹ David W. Bacon, first Bishop of Portland, was born in New York City, on September 15, 1813. He was ordained to the priesthood on December 13, 1838, and was consecrated Bishop of Portland on April 22, 1855. He died on November 5, 1874. Clarke, *Lives of Deceased Bishops*, III, 141-153; Shea IV, *passim*.

² New Hampshire was separated from Portland and erected into a separate diocese (Manchester) in 1884. Cf. Document 158.

suffraganea sit Archiepiscopi Neo-Eboracensis, donec aliter ab Apostolica Sede statuatur. Porro novae huic episcopali ecclesiae eiusque Antistitibus omnes et singulas facultates, praerogativas, officia volumus attributa, quae ex iure vel consuetudine episcopalium sedium et Episcoporum propria sunt.

§ 3. Haec volumus, praecipimus, mandamus, non obstantibus nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, nec non, quatenus opus est, Benedicti PP. XIV. praedecessoris nostri super div. Mat. aliisque apostolicis ac in universalibus provincialibusque et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, nec non peculiari atque expressa mentione dignis in contrarium facientibus quibuscumque.

Datum Romae, apud S. Mariam Maiorem, sub annulo Piscat., die XXIX. iulii MDCCCLIII., pontificatus nostri anno VIII.

Source: De Martinis, VI (1), 182.

No. 100.

PIUS IX

JULY 29, 1853

Summary: The Fathers of the First Plenary Council of Baltimore, seeking to better provide for religion in the region of Pennsylvania, have petitioned Us to erect an episcopal See in the city of Erie. Having sought counsel from the Sacred Congregation on the matter, We have thought it fitting to accede to their request.

We, therefore, separate the Counties of Erie, Warren, Crawford, Mercer, Venango, Clarion, Jefferson, Elk, McKeon, Potter and Clearfield from the Diocese of Pittsburgh and erect them into a separate diocese. The episcopal See shall be in the city of Erie and the diocese shall be suffragan to Baltimore.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Ex apostolici muneris officio ad longinquas christiani orbis partes oculos intendentes, novas illic episcopales sedes quandoque erigendas censemus, ut aucto pastorum numero christianus grex securius custodiat et independenti belluarum incursu.

§ 2. Sane venn. fratres Archiepiscopi et Episcopi Foederatorum Statuum Americae Septemtrionalis in plenario Baltimorensi Concilio collecti, quos inter recensebatur hodiernus Antistes Pittsburgensis, ut

rei ecclesiasticae per regionem Pensilvaniae melius provideri queat; postulandum a nobis curarunt ut novam episcopalem ecclesiam erigamus constituta eius sede in civitate Eriae, cuius dioecesis complecti debeat comitatus Eriae, Varren [Warren], Crawsord [Crawford], Mercer, Venago, Clarion, Sofferson [Jefferson], Elk, Nec-Kean [McKean], Potter et Clearfiet [Clearfield], praevia ipsorum comitatuum a dioecesi Pittsburgensi dismembratione. Iamvero prae oculis habentes hac novae episcopalis sedis erectione expeditius provisum iri spirituali fidelium salutis, de consilio venn. fratrum nostrorum S. R. E. Cardinalium Propagandae Fidei praepositorum huiusmodi votis precibusque censuimus adnuendum.

§ 3. Itaque certa scientia ac matura deliberatione nostra, deque apostolicae auctoritatis plenitudine, memoratos comitatus Eriae, Varren, Crawsord, Mercer, Venago, Clarion, Sofferson, Elk, Nec-Kean, Potter et Clearfiet a dioecesi Pittsburgensi dividimus ac separamus, eosque in peculiarem dioecesim erigimus, cuius sedem in civitate Eria¹ constituimus et a cuius civitatis nomine episcopalis ecclesia Eriensis nuncupetur. Hanc porro novam ecclesiam episcopalem suffraganeam esse volumus Archiepiscopi Baltimorensis, provisoria tamen ratione, donec aliter ab Apostolica Sede statuatur.

§ 4. Novae autem huic episcopali ecclesiae eiusque Antistitibus omnes et singulas facultates, prerogativas, officia volumus attributa, quae ex iure vel consuetudine episcopalium sedium et Episcoporum propria sunt.

§ 5. Haec volumus, decernimus, mandamus, non obstantibus nostra et cancellariae apostolicae regula de iure quaesito non tollendo, nec non, quatenus opus est, Benedicti PP. XIV. praedecessoris nostri super div. Mat. aliisque apostolicis ac in universalibus provincialibusque et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, nec non peculiari atque expressa mentione dignis in contrarium facientibus quibuscumque.

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris, die XXIX. iulii MDCCCLIII., pontificatus nostri anno VIII.

Source: De Martinis, VI (1), 183.

¹ When the Diocese of Erie was created, Bishop O'Connor of Pittsburgh was appointed to the See while Josue M. Young was appointed to the See of Pittsburgh. Young refused the See of Pittsburgh and after seven months Bishop O'Connor returned to Pittsburgh and Young was appointed Bishop of Erie. Bishop Young was born at Shalpeigh, Maine, on October 29, 1808. He was ordained to the priesthood on April 1, 1838, and consecrated Bishop of Erie on April 23, 1854. He died on September 18, 1866. Reuss, *Biographical Cyclopaedia of the Catholic Hierarchy of the United States* (Milwaukee, 1898), 110 ff.

No. 101.

PIUS IX

JULY 29, 1853

Summary: The Fathers of the First Plenary Council of Baltimore, seeking to better provide for the good of religion of the faithful, have besought Us to erect an episcopal See in the city of Burlington, and to assign to it the entire State of Vermont, after the latter has been separated from the Diocese of Boston.

Having in mind, therefore, the good that will accrue to the faithful, and having sought the counsel of the Sacred Congregation, We hereby separate the State of Vermont from the Diocese of Boston and erect it into a new diocese which shall embrace the aforesaid State of Vermont and whose episcopal See shall be in the city of Burlington. The new Church shall be subject to the Metropolitan See of New York.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Apostolicæ servitutis officium, quo sic volente Domino fungimur in Ecclesiæ universæ regimine illud exigit ut novas per terrarum orbem ecclesias erigamus, quando ea res incolumitati catholici gregis videatur expedire. Iamvero venn. fratres Archiepiscopi et Episcopi in plenaria Baltimorensi Synodo novissime congregati nobis exponendum curarunt, plurimum expedire spirituali christifidelium salutis ut nova episcopalis sedes in civitate Burlington erigatur, eidemque in diocesim assignetur integer status Vermont, prævia ipsius a dioecesi Bostoniensi dismembratione, eiusque rei gratia suas nobis preces curarunt exhibendas.

§ 2. Nos igitur, perpendentes commoditatem quæ in hac novæ episcopalis ecclesiæ erectione provenire poterit pro tuenda expeditius ac securius christiani gregis incolumitate, de consilio venn. fratrum nostrorum S. R. E. Cardinalium Propagandæ Fidei præpositorum, huiusmodi porrectis precibus adnuendum censuimus. Itaque certa scientia ac matura deliberatione nostra, deque apostolicæ potestatis plenitudine integrum supradictum statum cui nomen Vermont a dioecesi Bostoniensi dividimus ac separamus et apostolica auctoritate novam diocesim creamus, erigimus, quæ ex integro statu Vermont constet et cuius episcopalis sedes sita sit in civitate Burlington et a cuius nomine episcopalis ecclesia Burlingtonensis ¹ nuncupatur.

¹ The first Bishop of Burlington, Louis de Goesbriand, was born at Saint

§ 3. Volumus praeterea ut nova haec episcopalis ecclesia provisoria ratione suffraganea sit archiepiscopalis ecclesiae Neo-Eboracensis, donec aliter ab hac Apostolica Sede decernatur.

§ 4. Porro novae huic episcopali ecclesiae eiusque antistitibus omnes et singulas facultates, praerogativas, officia volumus attributa, quae ex iure vel consuetudine episcopalium sedium et Episcoporum propria sunt.

§ 5. Haec volumus, decernimus, mandamus, non obstantibus nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, nec non, quatenus opus est, Benedicti PP. XIV. praedecessoris nostri super div. Mat. aliisque apostolicis ac in universalibus provincialibusque et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, nec non peculiari atque expressa mentione dignis in contrarium facientibus quibuscumque.

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris die XXIX. iulii MDCCCLIII., pontificatus nostri anno VIII.

Source: De Martinis, VI (1), 183-184.

No. 102.

PIUS IX

JULY 29, 1853

Summary: It has been apparent to Us that the Diocese of New Orleans is so extensive that one bishop can hardly care properly for its needs. Added to this intelligence, is the petition of the Bishop of New Orleans and the Bishops of the First Plenary Council of Baltimore beseeching Us to create a new episcopal See in the city of Nachitoches.

Having in mind, therefore, the benefits that will accompany the erection of this diocese, We hereby separate from the Diocese of New Orleans the territory lying between the 32 and 33 degree of latitude, from the Mississippi River to the boundaries of Texas, and erect it into a separate diocese whose episcopal See shall be in

Urbain, France, on August 4, 1816. He was ordained to the priesthood on July 13, 1840, and then came to the United States. Bishop Rappe selected him as Vicar-General of the Diocese of Cleveland. He was consecrated bishop on October 30, 1853, and died on November 3, 1899. Reuss, *Biographical Cyclopaedia*, 49 f.

the city of Natchitoches. The new diocese shall be suffragan to New Orleans.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Quum illud certum sit, securiorem esse gregem quando plures illi pastores advigilent, ea de causa in longinquis praesertim regionibus novas quandoque episcopales sedes erigendas ducimus, ut sacr. Pastorum numerum ad christiani gregis securitatem augeamus.

§ 2. Iamvero haud nos latet eam esse dioecesis Neo-Aurelianensis amplitudinem ut unius Antistitis cura eius administrationi ac regimini minime sufficiat: quod quidem probe intelligentes tum hodiernus Neo-Aurelianensis Antistes, tum Archiepiscopi et Episcopi omnes in plenario Baltimorensi Concilio collecti preces nobis exhibendas curarunt, ut avulsa divisaque parte aliqua a dioecesi Neo-Aurelianensi, novam ex eadem dioecesim creemus, cuius episcopalis sedes constituatur in civitate Natchitoches.

§ 3. Nos igitur considerantes commoda atque utilitates quae ex nova dictae dioecesis erectione provenire possint, habita prius deliberatione cum venn. fratribus nostris S. R. E. Cardinalibus negotiis Fidei Propagandae praepositis, huiusmodi votis precibusque libenter adnuimus. Itaque certa scientia ac matura deliberatione nostra deque apostolicae auctoritatis plenitudine regionem illam omnem quae inter gradus 32 et 33 latitudinis a flumine Mississippi usque ad limites status Texas continetur, a dioecesi Neo-Aurelianensi dividimus, dismembramus, novamque exinde dioecesim¹ creamus, erigimus, quae memoratam regionem intra praefatos limites comprehensam complecti debeat, eiusque episcopalem sedem in civitate Nat-Chitochensi constituimus.²

§ 4. Hanc porro novam episcopalem ecclesiam suffraganeam esse volumus archiepiscopalis ecclesiae Neo-Aurelianensis, donec aliter hac super re Apostolica Sedes statuerit. Praeterea episcopali eidem ecclesiae eiusque Antistitibus omnes et singulas facultates, praerogativas, honores, officia volumus attributa, quae ex iure vel consuetudine episcopatum sedium et Episcoporum propria sunt.

§ 5. Non obstante nostra et cancellariae apostolicae etc.

Datum Romae, apud S. Mariam Maiorem sub annulo Piscatoris, die *xxix. iulii MDCCCLIII.*, pontificatus nostri anno *viii.*

Source: De Martinis, VI (1), 184.

¹ The first Bishop of Natchitoches. Augustus Martin, was born at Breton, St. Malo, France, on February 2, 1803. He was ordained to the priesthood in 1828, came to the United States, and became Vicar-General of Vincennes. He was consecrated Bishop of Natchitoches on November 30, 1853, and died on September 29, 1875. Clarke, *Lives of Deceased Bishops*, III, 397-403.

² The diocesan See was changed to Alexandria in 1910.

No. 103.

PIUS IX

JULY 29, 1853

Summary: The Fathers of the First Plenary Council of Baltimore, knowing well the good that would accrue to religion if a new diocese were created in the State of New Jersey, have petitioned Us to erect this same diocese.

Having in mind, therefore, the good that will follow from this foundation, We separate the entire State of New Jersey from the Dioceses of New York and Philadelphia and erect it into a separate diocese. We constitute the city of Newark as the episcopal See and appoint New York as its metropolitan.

*PIUS PP. IX.**ad futuram rei memoriam.*

§ 1. Apostolici ministerii ratio postulat ut novas per catholicum orbem erigamus dioeceses quando id religionis bono et animarum saluti benevertat.

§ 2. Iamvero venn. fratres Archiepiscopi et Episcopi Foederatorum Statuum Americae Septemtrionalis in plenario concilio congregati probe intelligentes maxime profuturum Christifidelium regimini si integer status New-Jersey, qui modo partim ad New-Eboracensem, partim ad Philadelphiensem dioecesim pertinet, inde separetur et in peculiarem dioecesim erigatur, episcopali sede constituta apud civitatem Newark, preces nobis adhibendas curarunt, ut ea res Catholicae Religioni propagandae apprime utilis apostolica nostra auctoritate perficiatur. Nos porro, habita de hoc negotio accurata deliberatione cum venerabilibus fratribus S. R. E. Cardinalibus Fidei Propagandae praepositis, attenta non mediocri in rem catholicam obventura commoditate, ad novae huiusmodi dioecesis erectionem deveniendum existimavimus. Itaque certa scientia ac matura deliberatione nostra, deque apostolicae auctoritatis plenitudine, integrum statum New-Jersey a dioecesibus Neo-Eboracensi et Philadelphensi dividimus, separamus, eumque sic divisum in peculiarem ac proprie dictam dioecesam erigimus,¹ eiusque epis-

¹ James Roosevelt Bayley was appointed to the See. He was born at Rye, New York, on August 23, 1814, entered the Church in 1842, and was ordained to the priesthood on March 2, 1844. He was consecrated Bishop of Newark by Archbishop Bedini, on October 30, 1853. In 1872, he was promoted to the See of Baltimore. He died at Newark on October 3, 1877. Clarke, *Lives of Deceased Bishops*, III, 43-68; Shea IV, *passim*; O'Donnell, *Catholic Hierarchy*, 7-8.

copalem sedem in civitate Newark constituimus, a cuius civitatis nomine dioecesis seu ecclesia episcopalis Newarkensis nuncupabitur. Eam porro provisoria ratione, donec aliter ab Apostolica Sede statuatur, suffraganeam esse volumus archiepiscopalis ecclesiae Neo-Eboracensis.²

§ 3. Huic autem novae episcopali ecclesiae per nos institutae eiusque Antistitibus facultates omnes honores, officia, volumus attributa, quae ex iure vel consuetudine episcopaliū sedium et Episcoporum propria sunt.

§ 4. Non obstante nostro et cancellariae apostolicae etc.

Datum Romae, apud S. Mariam Maiorem, sub annulo Piscatoris die xxix. iulii MDCCCLIII. pontificatus nostri anno VIII.

Source: De Martinis, VI (1), 184-185.

No. 104.

PIUS IX

JULY 29, 1853

Summary: It has been apparent to Us that the Diocese of New York is so extensive that it needs the care of more than one bishop. Added to this intelligence, is the petition of the present Archbishop of New York and the other Fathers of the First Plenary Council of Baltimore beseeching Us to detach Long Island from the Diocese of New York and to erect it into a separate diocese.

Having in mind, therefore, the benefits that will accrue to the faithful from this foundation, We detach the above-mentioned region of Long Island from the Diocese of New York and erect therefrom a new diocese whose episcopal See shall be in the city of Brooklyn. The new See shall be subject to New York as its Metropolitan.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. De incolumitate christiani gregis pro pastorali nostro officio ac munere vehementer solliciti, dioeceses quae nimis amplae sint, quandoque partimur et exinde novas erigimus, ut scilicet novis adiectis pastoribus facilius ovium securitati salutique consulatur. Sane haud nos latet dioecesim Neo-Eboracensem, praeter urbem ipsam frequentissimam, tam amplam complecti regionem, ut unius Antistitis cura eius regimini haudquaquam satis esse videatur.

² In 1881, a part of the diocese was detached to form the Diocese of Trenton.

§ 2. Id porro exploratum habentes tum hodiernus Archiepiscopus Neo-Eboracensis, tum alii Archiepiscopi et Episcopi omnes qui plerarium Baltimorese Concilium celebrarunt, nobis supplicandum curare, ut regionem quae Long-Island seu insula longa nuncupatur, a dioecesi Neo-Eboracensi seiungamus, ex eaque peculiarem erigamus dioecesim, cuius sedes constituta sit in civitate Brooklynensi, quae tum plures fideles, tum nonnullas ecclesias contineat.

§ 3. Nos vero, attentis commodis atque utilitatibus quae ex novae dioecesis erectione ad fidelium salutem sunt obventura, de consilio vnn. fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum passi sumus porrectis huiusmodi precibus exorari. Quapropter certa scientia ac matura deliberatione nostra deque apostolicae potestatis plenitudine totam illam regionem quae Long-Island appellatur, a dioecesi Neo-Eboracensi dividimus ac dismembramus ex eaque novam dioecesim erigimus,¹ cuius sedem episcopalem in civitate Brooklynensi stabilimus, eamque porro, donec aliter ab Apostolica Sede statuatur, suffraganeam existere iubemus archiepiscopalis ecclesiae Neo-Eboracensis.

§ 4. Insuper episcopali huic novae ecclesiae eiusque Antistitibus privilegia omnia, honores, officia volumus attributa, quae ex iure vel consuetudine episcopalium sedium et Episcoporum propria sunt.

§ 5. Non obstante nostra et cancellariae apostolicae etc.

Datum Romae, apud S. Mariam Maiorem sub annulo Piscatoris, die XXIX. iulii MDCCCLIII., pontificatus nostri anno VIII.

Source: De Martinis, VI (1), 185.

No. 105.

PIUS IX

JULY 29, 1853

Summary: The Fathers of the First Plenary Council of Baltimore, knowing well the spiritual benefits that would accrue to the faithful if a new episcopal See were created in the city of Covington with the consent of the Archbishop of Cincinnati and the Bishop of St. Louis, have petitioned Us to accomplish the erection of this same diocese.

¹ John Loughlin was appointed to the new See. He was born in County Down, Ireland, on February 20, 1817, came to the United States at the age of six, and was ordained to the priesthood on October 1, 1840. His consecration took place on October 30, 1853. He died on December 29, 1891. Reuss, *Biographical Cyclopaedia*, 65 ff.

Wherefore, by Our Apostolic authority, We do detach the eastern part of the State of Kentucky from the Diocese of St. Louis and create therefrom a separate diocese, whose episcopal See shall be in the city of Covington and shall be suffragan to Cincinnati.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Apostolici ministerii ratio postulat ut novas per catholicum orbem erigamus dioeceses, quando id religionis bono et animarum saluti bene vertat.

§ 2. Iamvero venn. fratres Archiepiscopi et Episcopi in plenaria Baltimorensi synodo novissime congregati probe recteque intelligentes maxime profuturum christifidelium regimini si episcopalis sedes statuatur in urbe Covington status Kentukyensis, quae episcopalis ecclesia constet ex orientalibus partibus eiusdem status usque ad comitatus Caroll [Carroll], Owen, Franklin, Woodfort [Woodford], Garrard [Garrard], Rockcastle [Rock Castle], Laurel et Whitley, quos includat, idcirco iidem Antistites, consentientibus in primis Archiepiscopo Cincinnatiensi et Episcopo Ludovicopolitano, supplicandum nobis curarunt, ut huius novae dioecesis erectionem auctoritate nostra apostolica perficiamus.

§ 3. Nos vero, quibus nihil potius est quam amplificatio Catholicae Religionis, postquam de huiusmodi re accurate habuerimus deliberationem cum venn. fratribus nostris S. R. E. Cardinalibus Fidei Propagandae praepositis, dictorum Antistitum votis censuimus adnuendum.

§ 4. Itaque certa scientia ac matura deliberatione nostra deque apostolicae auctoritatis plenitudine antedictam regionem iuxta praefatos limites a dioecesi Ludovicopolitana dismembramus, eamque in proprie dictam dioecesim erigimus,¹ praevia tamen revocatione rescripti alias editi de consensu Antistitum Ludovicopolitani et Cincinnatiensis, ut hic postremus regionis illius curam gereret, quod quidem rescriptum pro revocato haberi volumus.

§ 5. Insuper novae huius dioecesis sic erectae episcopalem sedem in civitate Covington constituimus, a cuius nomine Covingtoniensis nuncupabitur, et suffraganea existat metropolitanae ecclesiae Cincinnatiensis, donec aliter ab Apostolica Sede statuatur.

§ 6. Praeterea novae huic episcopali ecclesiae eiusque Antistitibus

¹ The first Bishop of Covington was George Carrell, S. J. He was born in Philadelphia, Pennsylvania, on June 13, 1803, entered the Society of Jesus and was ordained to the priesthood on December 20, 1827. His consecration took place on November 1, 1853. He died on September 25, 1868. Reuss, *Biographical Cyclopaedia*, 20-21. Cf. Webb, *Century of Catholicity in Kentucky* (Louisville, 1884).

facultates omnes, honores, officia volumus attributa, quae ex iure vel consuetudine episcopalium sedium et Episcoporum propria sunt.

§ 7. Non obstante nostra et cancellariae apostolicae etc.

Datum Romae apud S. Mariam Maiorem sub annulo Piscatoris die XXIX. iulii MDCCCLIII., pontificatus nostri anno VIII.

Source: De Martinis, VI (1), 186.

No. 106.

PIUS IX

JULY 29, 1853

Summary: By Apostolic Brief of July 29, 1850, We constituted a Vicariate-Apostolic for the region of New Mexico. Religion has so prospered there, that the Fathers of the Baltimore Council have petitioned Us to create a new episcopal See in the city of Santa Fe.

Wherefore, in compliance with their request, We, hereby, erect the Vicariate-Apostolic of New Mexico into a diocese, whose episcopal See shall be in the city of Santa Fe. The new See shall be suffragan to St. Louis.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Universi dominici gregis cura, quae nos vehementer anxios habet atque sollicitos, id nobis suadet ut novas instituamus dioeceses, quoties ea res securitati ac saluti eiusdem gregis profutura videatur.

§ 2. Iamvero per similes nostras in forma Brevis literas die XXIX. iulii anno MDCCCL. datas vicariatum apostolicum pro regione Novi Mexici in foederatis Americae Septemtrionalis regionibus constituimus, cui praeesset Antistes episcopali dignitate auctus titulo ecclesiae in partibus infidelium. Atqui favente bonorum omnium auctore Deo res ecclesiastica illic ita ordinata est, ut Archiepiscopi et Episcopi in Baltimorensi Synodo congregati preces nobis exhibendas curaverint pro erectione novae episcopalis ecclesiae, cuius sedes in civitate Sanctae Fidei constituatur, cuiusque dioecesis amplectatur integram regionem quae Vicario Apostolico commissa fuerat. Nos igitur nihil potius habentes quam fidei catholicae incrementum, posteaquam hac super re deliberationem habuerimus cum venerabilibus fratribus S. R. E. Cardinalibus Propagandae Fidei praepositis, de eorundem consilio ad huiusmodi erectionem deveniendum existimavimus.¹

¹ John B. Lamy was appointed to the new See. He was born at Lempdes, France, in October, 1814. He received ordination on December 22, 1838,

§ 3. Itaque certa scientia ac matura deliberatione nostra deque apostolicae auctoritatis plenitudine vicariatum apostolicum Novi Mexici in America Septemtrionali in peculiarem ac proprie dictam dioecesim erigimus, eiusque episcopalem sedem in civitate S. Fidei constituimus. Hanc porro novam episcopalem ecclesiam Sanctae Fidei suffraganeam esse volumus metropolitanae ecclesiae S. Ludovici, donec aliter ab Apostolica Sede statuatur.

§ 4. Insuper episcopali huic novae ecclesiae eiusque Antistitibus privilegia omnia, honores, officia volumus attributa, quae ex iure vel consuetudine episcopali sedium et Episcoporum propria sunt.

§ 5. Non obstante nostra et cancellariae apostolicae etc.

Datum Romae, apud S. Mariam Maiorem sub annulo Piscatoris die XXIX. iulii MDCCCLIII., pontificatus nostri anno VIII.

Source: De Martinis, VI (1), 186-187.

No. 107.

PIUS IX

JULY 29, 1853

Summary: Although that part of the Diocese of Monterey, which belongs to Mexico, was recently detached and committed to the Archbishop of Mexico as Administrator-Apostolic, nevertheless the region is so vast that the Bishop of Monterey and the other Fathers of the Council of Baltimore have petitioned Us to detach from Monterey that territory which lies between the Colorado River and the Pacific, and between the Pueblo San José and the 42 degree of latitude, and to constitute it into a separate diocese with the episcopal See in the city of San Francisco. The above-mentioned prelates also petitioned that the See be raised to the dignity of a Metropolitan.

Wherefore, in compliance with their request, We do hereby erect the metropolitan See of San Francisco.

and came to the United States a year later. He was consecrated Vicar-Apostolic of New Mexico on November 24, 1850. When the See was raised to the dignity of an archdiocese in 1875, he became its first Archbishop. His death occurred on February 13, 1888. O'Donnell, *Catholic Hierarchy*, 177-178. Santa Fe became a metropolitan See on February 12, 1875. Cf. Document 148.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Ad animarum regimen et salutem curandam necesse intelligimus dioeceses partiiri, quae nimis amplis finibus contineri videantur.

§ 2. Iamvero, quamquam pars illa dioecesis Montereyensis, quae ad Rempublicam Mexicanam pertinet, seiuncta nuperrime fuerit et Archiepiscopo Mexicano titulo administrationis apostolicae regenda commissa sit, illa tamen adhuc latissime patere noscitur sic, ut hodiernus Episcopus Montereyensis atque una simul Archiepiscopi et Episcopi foederatorum statuum Americae Septemtrionalis ex Baltimorensi Concilio petendum a nobis curarunt ut ex dioecesi Montereyensi ea pars secernatur quae definitur ad Orientem *flumine Colorado*, ad Septemtrionem 42 latitudinis gradu, ad Occidentem Mari Pacifico, ad Meridiem parallelo meridionali, paroecia vici vulgo *Pueblo S. Ioseph*, ex eaque regione sic divisa nova per nos erigatur dioecesis, cuius sedes constituta sit in civitate S. Francisci. Cum vero aliae sedes archiepiscopales plurimum distent, ac perutile videatur novam in Superiori California constituere ecclesiasticam provinciam, ideireo praefati Antistites nobis postulaverunt ut novam S. Francisci ecclesiam metropolitanam declaramus, utpote quae pluribus ex capitibus opportunior sit, eidemque metropolitanae ecclesiae suffraganeam adsignemus episcopalem ecclesiam Montereyensem.

§ 3. Nos igitur prius de hac re cum venn. fratribus nostris S. R. E. Cardinalibus Propagandae Fidei praepositis deliberavimus, ac singulis accurate perpensis, propterea quod ex hac archiepiscopalis ecclesiae erectione non medioeris videatur utilitas obventura spirituali Christifidelium regimini, dictorum Antistitum votis aequo animo ac libenter adnuimus. Quapropter certa scientia ac matura deliberatione nostra deque apostolicae potestatis plenitudine partem illam superius memoratam dioecesis Montereyensis iuxta descriptos limites a dioecesi praedicta dividimus ac separamus, ex eaque regione perculiarem ac proprie dictam archiepiscopalem ecclesiam erigimus eiusque sedem in civitate S. Francisci figimus ac constituimus.¹

§ 4. Porro eidem ecclesiae eiusque Antistitibus omnia et singula privilegia, honores, officia volumus attributa, quae ex iure vel consuetudine episcopalium sedium et episcoporum propria sunt.

§ 5. Non obstante nostra et cancellariae apostolicae etc.

Datum Romae, apud S. Mariam Maiorem sub annulo Piscatoris, die xxix. iulii MDCCCLIII., pontificatus nostri anno VIII.

Sources: De Martinis, VI (1), 187; Hernaez, II, 799.

¹ Bishop Alemany was transferred from the See of Monterey to the metropolitan See of San Francisco and Thaddeus Amat, C. M., was appointed to the See of Monterey. The diocese formerly included both Upper and Lower Californias. Lower California was returned to the jurisdiction of the Archbishop of Mexico. Cf. Document 65.

No. 108.

PIUS IX

JULY 29, 1853

Summary: The Fathers of the First Plenary Council of Baltimore have petitioned Us to detach the upper peninsula of Michigan, together with the adjacent islands, from the Diocese of Detroit and to erect the same into a vicariate-apostolic.

Desirous to accede to the wishes of the above-mentioned prelates, We, hereby, detach the upper peninsula of Michigan and the adjacent islands from the Detroit Diocese and erect the same into a separate vicariate-apostolic, to be governed by a prelate having the episcopal character.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Postulat apostolicum officium, quod nobis licet immerentibus divino consilio commissum est, ut in Ecclesiae procuratione id exequamur, quod in maius religionis emolumentum conducere videatur.

§ 2. Iam vero venn. fratres Archiepiscopi et Episcopi Foederatorum Statuum Americae Septemtrionalis in plenariam synodum novissime congregati, quos inter recensetur administrator perpetuus dioecesis Detroitensis ab Apostolica Sede constitutus, probe intelligentes valde profuturum rei catholicae et animarum bono si peninsula superior status Michigan una cum insulis ad iurisdictionem civilem eiusdem peninsulae in praesens pertinentibus a dioecesi Detroitensi seiuncta in vicariatum apostolicum erigatur, cuius regimen committatur Antistiti episcopali characteret et dignitate exornato, nobis hac super re enixas preces porrigendas curarunt.

§ 3. Nos porro, cum nihil potius habeamus quam ut catholica fides ubique terrarum magis ac magis in dies florescat et vigeat, habita prius de re huiusmodi accurata deliberatione cum venn. fratribus nostris S. R. E. Cardinalibus negotiis Propagandae Fidei praepositis, ad novi vicariatus erectionem deveniendum existimavimus.

§ 4. Itaque certa scientia ac matura deliberatione nostra deque apostolicae auctoritatis plenitudine dictam peninsulam superiorem status Michigan una cum insulis ad civilem eiusdem peninsulae superioris iurisdictionem modo pertinentibus a dioecesi Detroitensi per has praesentes literas dividimus, seiungimus ac dismembramus, eamque sic divisam ac dismembratam in peculiarem vicariatum apostolicum erigimus,¹

¹ Frederick Baraga was appointed to the vicariate-apostolic. He was born in the Austrian Dukedom of Carniola on June 29, 1797. He received ordin-

eiisque regimen Antistiti committi volumus qui episcopali caractere sit insignitus; mandamus proinde ut eadem regio quam supra descripsimus, in vicariatum apostolicum erecta censeatur, cum omnibus tamen conditionibus ac dependentiis quibus alii vicariatus apostolici obnoxii sunt.

§ 5. Non obstantibus nostra etc.

Datum Romae, apud S. Mariam Maiorem sub annulo Piscatoris, die XXIX. iulii MDCCCLIII., pontificatus nostri anno VIII.

Source: De Martinis, VI (1), 187-188.

No. 109.

PIUS IX

JULY 29, 1853

Summary: The Diocese of Walla Walla was erected by Apostolic Brief on July 24, 1847, and committed to the care of Augustine Blanchet. Then, at the time of the provincial Synod of Oregon, We consented to the transfer of Bishop Blanchet to the See of Nesqually and committed the administration of the Diocese of Walla Walla to the Archbishop of Oregon. Now, however, the Fathers of the First Plenary Council of Baltimore have petitioned Us to divide the diocese of Walla Walla between the Archdiocese of Oregon and the Diocese of Nesqually.

Wherefore, wishing to accede to the wishes of the aforesaid prelates, We hereby suppress the Diocese of Walla Walla and divide it as above.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Per similes nostras apostolicas literas datas die XXIV. iulii anno MDCCCXLVII. novam episcopalem ecclesiam de Walla-Walla sub Archi-

ation on September 21, 1823, and came to the United States eight years later. He was consecrated titular Bishop of Amyzonias on November 1, 1853. When the vicariate was erected into the Diocese of Sault Ste. Marie on January 9, 1857, he became the first Bishop of the See. He died on January 19, 1868. Clarke, *Lives of Deceased Bishops*, II, 468-508; Verwyist, *Life and Labors of the Rt. Rev. Frederick Baraga* (Milwaukee, 1900); Rezek, *History of the Diocese of Sault Ste. Marie and Marquette* (Houghton, Michigan, 1906).

episcopo Oregonopolitano ereximus, eamque ven. fratri Augustino Planchet¹ regendam commisimus. Deinde occasione recognitionis synodi provincialis Oregonopolitanae adnuimus pro translatione memorati Antistitis ad sedem Nesquallyensem ac dioecesim de Walla-Walla titulo administrationis apostolicae Archiepiscopo Oregonopolitano regendam commisimus, datis ea de re apostolicis in forma Brevis literis die xxxi. maii anno MDCCCL.: nuper vero Archiepiscopi et Episcopi Foederatorum Statuum Americae Septemtrionalis in synodum plenariam congregati, quos inter Oregonopolitanus et Nesquallyensis Antistes, postulandum a nobis curarunt ut memoratam dioecesim de Walla-Walla cum adiacentibus regionibus divideremus inter archidioecesim Oregonopolitanam atque dioecesim Nesquallyensem in limitem designato flumine Columbiae, adeo ut tota ea pars quae iacet ad Meridiem et Orientem dicti fluminis Columbiae, una cum tota regione Fort-Hall subdita sit iurisdictioni Archiepiscopi Oregonensis, Episcopus vero Nesquallyensis alteram habeat quae iacet ad Septemtrionem et Occidentem praefati fluminis una cum tota regione Colville.

§ 2. Nos de hac re deliberationem habuimus cum venn. fratribus nostris S. R. E. Cardinalibus Propagandae Fidei praepositis, ac, omnibus et singulis accurate ut par erat perpensis, eorumdem Antistitum votis adnuendum existimavimus. Itaque de praefatorum Cardinalium consilio, certa scientia ac matura deliberatione nostra, deque apostolicae auctoritatis plenitudine dioecesim de Walla-Walla supprimimus, eiusque sic suppressae territorium iuxta propositos limites divisum partim ut supra dictum est, dioecesi Oregonopolitanae, partim dioecesi Nesquallyensi attribuimus, assignamus.

§ 3. Non obstantibus nostra et cancellariae apostolicae etc.

Datum Romae, apud S. Mariam Maiorem, sub annulo Piscatoris, die xxix. iulii MDCCCLIII., pontificatus nostri anno viii.

Source: De Martinis, VI (1), 188.

No. 110.

PIUS IX

JANUARY 13, 1854

The following Brief of Pius IX made a change in the faculties usually given to the Bishops and Archbishops of the United States, concerning diocesan administration during the interim following the death of the Ordinary.

Summary: The first formula of faculties given to American

¹ Bishop Blanchet. Cf. *supra*, document 76.

bishops permitted them to communicate these faculties to another ecclesiastic so that at the death of the bishop, he might govern the diocese until the Holy See had provided for it. This course of action does not provide for all cases, and, therefore, it is Our will that, until cathedral chapters be erected, when a bishop dies without communicating his faculties to another (the metropolitan or the senior suffragan) shall appoint an ecclesiastic to rule the diocese with the above-mentioned faculties unless the Holy See has provided otherwise.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Licet in prima formula facultatum quae dari solet Archiepiscopis et Episcopis Foederatorum Statuum Americae Septentrionalis contineatur quoque, ut easdem facultates idoneo viro ecclesiastico Antistes communicare valeat, nimirum ut post eius obitum, ob defectum capituli cathedralis, regimen dioecesis gerere is possit, donec aliter per Sanctam Sedem provisum fuerit, experientia tamen innouit, haud satis ea ratione quoad omnes casus provisum existere.

§ 2. Hinc nos ad omnia dubia in re hac gravissima removenda, de consilio etiam venn. fratrum nostrorum S. R. E. Cardinalium negotiis Propagandae Fidei praepositorum, auctoritate nostra apostolica per praesentes literas volumus, constituimus ac mandamus ut, quoadusque ibi capitulorum cathedralium erectio perfici haud possit, et Archiepiscopo vel Episcopo obeunte nemo adsit qui praedictarum facultatum communicationem rite ab eodem obtinuerit, seu aliter quam per Antistitis dioecesim vacare contigerit, metropolitanus Antistes vel, in ipsius defectu aut si de ipsa metropolitana Ecclesia agatur, senior ex suffraganeis idoneum virum ecclesiasticum designet, qui dioecesis regimen gerat cum usu facultatum quae in memorata prima formula recensentur, donec Apostolica Sedes certior facta secus de re non disposuerit.

§ 3. Haec decernimus, mandamus et concedimus, non obstantibus constitutionibus et sanctionibus apostolicis caeterisque contrariis quibuscumque.

Datum Romae, apud S. Petrum sub annulo Piscat., die XIII. ianuarii MDCCCLIV., pontificatus nostri anno VIII.

Source: De Martinis, VI (1), 213-214.

No. 111.

PIUS IX TO ARCHBISHOP HUGHES AND SUFFRAGANS

JANUARY 1, 1855

In the interim between the First and Second Plenary Councils of Baltimore, a number of Provincial Councils were held. The first of these was the Provincial Council of New York, which convened on September 30, 1854, and closed on October 8. The following letter from Pius IX praised the prelates of the archdiocese for their zeal and His Holiness urged the coöperation of the American hierarchy in establishing an American College in Rome for the education of priests.

Summary: We experienced great joy on the reception of your letter, and were pleased to hear with what solicitude you held your first Provincial Council, the *Acta* of which you have submitted to Us for Our approbation. The Sacred Congregation will send you an answer concerning the *Acta* of the Council.

And, while We acquaint you with the fact that your desire for the choice of a new Bishop of Portland has been favorably received, We cannot refrain from praising the pastoral solicitude with which you have come together to ordain those means best suited for the spiritual good of your flock.

Continue your good labors and spare nothing to bring the light of the Faith to those who are sitting in the darkness of death.

In order the easier and better to provide laborers for your part of the Lord's vineyard, We desire greatly that you would erect a college of American clergy in Rome; which desire We have likewise expressed to certain American bishops who were present at the definition of the Immaculate Conception. Your wisdom will show how useful such a foundation will be. For American youths coming here, will be imbued with piety, and pure doctrine, etc. so that when they return to the States they may fill the office of pastor, preacher or preceptor, etc. If you will to follow this Our wish, We shall do all in Our power to assist you.

Venn. fratribus Ioanni Archiepiscopo Neo-Eboracensi,¹ Ioanni Episcopo Albanensi, Ioanni-Bernardo Episcopo Bostoniensi, Ioanni Episcopo Buffalensi, Bernardo Episcopo Hartfordensi, Ioanni Episcopo Brooklynensi, Iacobo Episcopo Newarcensi et Ludovico Episcopo Burlingtoniensi in foederatis Americae regionibus,

PIUS PP. IX.

Venerabiles fratres, salutem et apostolicam benedictionem.

Obsequentissimas litteras a vobis subscriptas reddidit nobis ven. frater Ioannes Episcopus Buffalensis, quem omni benevolentia excepi-mus, ac de vestris rebus loquentem libentissime audivimus. Non medio-rem certe ex ipso ven. fratre et iisdem vestris litteris iucunditatem cepimus, cum magis atque magis noverimus quae sit egregia vestra erga nos et hanc Petri cathedram catholicae veritatis et unitatis centrum pietas, amor et observantia. Ac perlibenter intelleximus qua episcopali sollicitudine primam Neo-Eboracensem provincialem synodum concele-brandam curastis, cuius acta more maiorum ad nos misistis ac precati estis, ut illa probare, vel etiam, ubi opus sit, emendare velimus. Con-gruum responsum accipietis a nostra Congregatione Fidei Propagandae praeposita, cui eiusdem synodi acta cognoscenda mandavimus, et in litteris ipsius Congregationis novum habebitis documentum praecipuae benevolentiae, qua vos, venn. fratres, ecclesiasque vestras impense prose-quimur.²

¹ John Hughes, Archbishop of New York, was born at Annalaghan, Ireland, on June 24, 1797, came to the United States in 1817, and was ordained in 1826. He was consecrated titular Bishop of Basileopolis and Coadjutor of Bishop Dubois on January 7, 1838. He succeeded Dubois as Bishop of New York in 1842, and became the first Archbishop of New York in 1850. He died in New York on January 3, 1864. Hassard, *Life of Archbishop Hughes* (New York, 1866); Brann, *John Hughes* (New York, 1892); Clarke, *Lives of Deceased Bishops*, II, 73-125; *Dictionary of American Biography*, s. v.

² The decree confirming the Council follows:

Referente Emo ac Rmo Domino Cardinali Benedicto Barbarinio in gene-rali S. C. de Prop. Fide conventu habito die trigesima aprilis MDCCCLV., EE. ac RR. PP. censuerunt Acta et Decreta primi Concilii Provincialis Neo-Eboracensis, quod celebrari coepit die xxx. septembris, absolutum vero est die VIII. octobris anni MDCCCLIV., nonnullis modificationibus adhibitis iuxta habitam instructionem, esse approbanda.

Hanc vero S. C. sententiam illmo domino nostro Pio div. provid. PP. IX. relatam per infrascriptum Secretarium die XIII. mensis maii anni MDCCCLV., Sanctitas Sua benigne probavit et vulgari mandavit.

Datum Romae, ex aedibus dictae S. C. de Propaganda Fide, die nona iulii MDCCCLV.

De Martinis, VI (1), 233, in note; Mansi, XLVII, 92.

Interim vero, dum vos certiores facimus, vestris votis a nobis perlibenter fuisse obsecundatum in eligendo novo Vindelensi seu Portlandensi Episcopo, haud possumus, quin meritis laudibus efferamus pastorem vestram sollicitudinem, qua impulsus ex sacrorum canonum praescripto convenistis in unum, et invocato Spiritus Sancti lumine, communicatisque invicem consiliis, ea constituere studuistis, quae ad cleri disciplinam, populique fidelis pietatem magis magisque fovendam, ad vitiorum germina convellenda, seductionisque pericula propulsanda, ac iuventutem vera fide solidaque virtute accuratius instituendam conducere queant.

Dum autem hunc vestrum zelum catholicis Antistitibus plane dignum summopere commendamus, vobis addimus animos, ut divino auxilio freti pergatis maiori usque alacritate omnes vestri muneris partes implere, nihil unquam intentatum relinquentes, quo sanctissima nostra religio eiusque salutaris doctrina in istis regionibus maiora incrementa suscipiens, ac miseri errantes ad salutis semitam redeant. Nullis vero curis, consiliis et laboribus unquam pareite, venni fratres, ut, si in vestris dioecesium reperiantur infideles, qui sedeant in tenebris et umbra mortis, illos evangelicae legis luce illuminare, et Christo lucrifacere valeatis. Quo vero facilius vestrarum dioecesium indigentis consulere, et navos ac industrios operarios habere possitis, qui auxiliariam vobis in vinea Domini excolenda operam praebeant, optamus vehementer, quemadmodum nonnullis e vestro ordine hic in Urbe non levi animi nostri gaudio occasione dogmaticae nostrae definitionis de immaculato Deiparae conceptu commorantibus iam significavimus, ut collatis consiliis consociatisque viribus proprium vestrae nationis clericorum collegium in hac ipsa alma Urbe nostra erigere velitis. Nam pro vestra sapientia probe noscitis quantae in istas dioeceses ex eiusmodi institutione utilitates possunt redundare. Hoc enim pacto iuvenes a vobis electi, et in hanc urbem missi in spem religionis, veluti in plantario crescent, qui pietate bonisque artibus hic imbuti et incorruptam doctrinam ex ipso fonte haurientes, ac ritus sanctissimasque caeremonias ex Ecclesiae omnium matris et magistrae more institutisque addiscentes, atque optimis disciplinis exculiti, cum in patriam redierint, vel parochi, vel concionatoris vel praeceptoris munus rite obire, atque exemplo vitae populo praelucere, rudemque plebem erudire, et errantes ad veritatis et iustitiae semitas reducere, doctrinaeque praesidiis insidiantium hominum fallacias refellere et insaniam redarguere poterunt. Si huic nostro desiderio, quod spirituale istarum regionum bonum unice spectat, vos obsecundare volueritis, nos certe, quantum in nobis erit, haud omittemus, vos omni studio iuvare, ut idem collegium constituere possitis. Denique persuasum habeatis velimus, fervidas elementissimo misericordiarum Patri preces a nobis offerri, ut uberrima quaeque suae bonitatis dona super vos propitius semper effundat, quae in dilectas quoque oves vobis commissas copiose descendant. Atque horum auspicem et studiosissimae nostrae in vos caritatis testem apostolicam benedictionem, ex

intimo corde profectam, vestrum singulis et universis istarum ecclesiarum clericis laicisque fidelibus peramanter impertimur.³

Datum Romae, apud S. Petrum sub annulo piscatoris die 1. ianuarii MDCCCLV., pontificatus nostri anno IX.

Sources: De Martinis, VI (1), 233-234; Mansi, XLVII, 91-92; *Coll. Lac.*, III, 268-269.

No. 112.

PIUS IX TO ARCHBISHOP PURCELL AND SUFFRAGANS

JULY 19, 1855

The First Provincial Council of Cincinnati opened on May 13, and closed on May 20, 1855. Pius IX answered the letter of the Archbishop and Bishops of the Province in the following Brief.

Summary: We are filled with joy at the reverence which the First Provincial Council of Cincinnati has shown towards the Holy See. Guard well these worthy sentiments and ever have recourse with confidence to Us. We shall receive with pleasure the acts of the Council. We were most happy to hear with what joy you and your people received the dogmatic definition of the Immaculate Conception. Sorrow, however, has filled Our heart on hearing that the enemy of Our Faith is seeking to stir up hatred against you. But do not lose heart, for by the grace of God and the help of His Immaculate Mother seek to strengthen the faith among your flock. Be assured that We shall do all in Our power to help you and the faithful entrusted to your care.

³ The *Acta* of the Council are printed in *Concilium Neo-Eboracense Primum* (New York, 1855); *Coll. Lac.*, III, 259-270.

*Venerabilibus fratribus, Ioanni-Baptistae,¹ Archiepiscopo Cincinnatiensi,
et eius suffraganeis,²*

PIUS PP. IX.

Venerabiles fratres, salutem et apostolicam benedictionem.

Summae certe consolationi nobis fuerunt obsequentissimae vestrae litterae³ die XXIV. proximi mensis maii datae, quas nuper accepimus.

¹ John Baptist Purcell, Archbishop of Cincinnati, was born at Mallow, Ireland, on February 26, 1800. He was ordained in Paris in 1826, and came to the United States the year following. He was consecrated Bishop of Cincinnati on October 13, 1833, and became the first Archbishop of that See in 1850. He died on July 4, 1883. McCann, *Archbishop Purcell and the Archdiocese of Cincinnati* (Washington, D. C., 1918); Lamott, *History of the Archdiocese of Cincinnati, passim*. The Pontiff in his letter refers to the Nativistic outbursts in the United States at the time.

² The suffragan bishops were: Martin Spalding (Louisville), Peter Le-fevre (Administrator of Detroit), Maurice de St. Palais (Vincennes), Louis Rappe (Cleveland), George Carrell (Covington), and Frederic Baraga (Vicar-Apostolic of Upper Michigan).

³ Following is the letter of instructions on the Council:
Illme ac Rme Domine,

Haud certe miraberis quod circa provincialem Synodum S. C. tamdiu dilata sint responsa, si attendas in deliberatione coniungenda fuisse acta et decreta Synodorum quatuor istius regionis, necnon documenta omnia seorsim per Antistites quoad res in iisdem pertractatas transcripta. Examine itaque absoluto, quae pertinent ad Cincinnatiense Concilium hac epistola perstringam; videlicet aperiendo quae adnotatione aliqua digna visa sunt. In gestorum serie placuisset deprehendere quod, cum de primo ageretur provincialia Concilio Cincinnatiensi, fidei cath. professio per omnes Antistites praestita fuisset; optimum vero factu erit, ut in Concilio edendo forma praedicta et professio per integrum inseratur.

Ex adiectis ap. literis animadvertes iuxta vota in decreto secundo episcopatum cum titulo *Sant S. Marie* erectum fuisse et in Episcopum electum R. P. D. Ludovicum Baraga, ipsius regionis antea Vic. Apost.

Item, iuxta tertio articulo proposita, sedes episcopalis apud Fort Wayne fuit erecta; attamen cum presbyter Wood, qui pro ea sede designatur, Ep. Philadelphiensi coadiutor datus sit, EE. PP. scribendum decreverunt, ut pro memorata sede Fort Wayne nova fieret ecclesiasticorum propositio.

Circa septimum atque octavum decreta differri voluerunt responsum quoad petitionem, ut provinciale Seminarium declaretur Pontificium, eidemque privilegium conferatur tradendi gradus academicos. Quoad erectionem Seminarii Americani in alma Urbe, persuasum habent EE. PP. istius provinciae Antistites facile agnituros uberrimos fructus ex opere eiusmodi obvenire, quemadmodum rei ipsius ratio evincit, communis sententia con-

Namque ex illis novimus, vos, venerabiles fratres, ad primum Cincinnatiense provinciale concilium concelebrandum congregatos nihil antiquius habuisse, quam luculentissimis verbis profiteri singularem pietatem, amorem et observantiam, qua nos et hanc Petri Cathedram omnium ecclesiarum non modo caput, sed et matrem ac magistram, colere vehementer gloriimini. Tuemini porro hos egregios religiosae vestrae mentis sensus catholicis Antistitibus plane dignos, atque omni prorsus fiducia ad nos et hanc Apostolicam Sedem confugite, cum praesertim nostrae et eiusdem sedis auctoritatis ope et auxilio vos indigere noveritis. Nihil

firmat, et experientia similium collegiorum demonstrat: opportunum autem erit adnotare litteras ex mente Sanctitatis Suae traditas eo spectasse, ut omnes collatis consiliis, et iuxta vires opus iuvarent vel per se, vel per fideles ad id opportune excitatos, alicubi etiam reservatis ad meliora tempora subsidiis.

Amplitudo tua novit agnitum fuisse ius Episcopi, ut ad sustinenda officii sui onera ex dioecesi subsidia percipiat: applicatio tamen et determinatio subsidiorum opportunius fieri posse videtur in Synodis Dioecesanis, habita nimirum ratione ad uniuscuiusque dioeceseos statum et conditionem.

In decreto XII. ubi legitur *rationem quamdam stabilem constituent*, melius dici poterit *modum constituent*.

Quoad decretum XIII. visum est ea inculcanda circa medicae artis exercitium quae Bened. XIV. habet lib. XIII. de Synodo Dioecesana c. x., § 7.

Quid circa decretum XVI. et XVII. visum fuerit, patebit ex instructione quamprimum mittenda ut quaestiones plures titulum ordinationis respicientes accurate declarentur.

Demum quoad usum communis caeremonialis pro baptizandis adultis, etiamsi difficultates propositae perpensae fuerint, EE. PP. insinuandum voluerunt ut per annum experientia fiat, iuxta ea quae post plenarium Baltimorense Concilium rescripta sunt.

EE. autem PP. censuerunt et pro ista provincia appetendas esse modificationes occasione alterius Synodi traditas: videlicet cum per alios Antistites postulatum fuerit ut prima propositio promovendorum ad episcopatum per consultores fieret, eaque de causa consultorum numerus augeri posset; S. C. respondit id relinquendum conscientiae et prudentiae Episcopi, ita quidem ut ratio iugiter habeatur nominum, quae in schedis defuncti Episcopi commendata deprehenderentur. Item petitio facta est ut de commendandis ad episcopatum iugiter in conventu Episcoporum ageretur, et tantum Archiepiscopi et Episcopi alterius provinciae fieret interpellatio, cum proponendus extra provinciam degeret; id quidem fuit admissum cum clausula, si commode fieri possit, sin minus, per litteras: quoties vero de novis sedibus episcopalibus erigendis, vel altero archiepiscopatu statuendo pertractatio iniri placeat, methodus hactenus adhibita retineatur.

Item servari placuit et per alias provincias formam pro ecclesiasticis iudiciis in Concilio Ludovicano editam, et per S. C. emendatam, cuius

vero dubitamus, quin in hoc habendo concilio pro eximia vestra religione et episcopali vigilantia ac zelo ea omnia suscepturi sitis consilia, quibus in vestris dioecesisibus, et catholicae fidei incolumitati, et rectae sanctaeque cleri institutioni eiusque disciplinae, et populorum pietati ac morum honestati magis magisque consulere possitis. Gratissimum autem nobis erit eiusdem concilii acta accipere, quae supremae nostrae et huius Sanctae Sedis auctoritati vos subiecturos esse pro certo habemus. Maxima vero iucunditate ex iisdem vestris litteris intelleximus quanta laetitia et exultatione cum a vobis, venerabiles fratres, tum ab istis fidelibus populis fuerit audita et accepta dogmatica de immaculato Deiparae Virginis Mariae conceptu definitio a nobis pronuntiata, nostrisque apostolicis litteris vulgata, quae vestra et eorumdem populorum laetitia eo maior extitit, quod ecclesiastica ista praesertim provincia Beatissimam Virginem sine labe originali conceptam veluti potissimam suam Patronam colere et venerari summopere gaudet. Iam vero non mediocri sane animi nostri molestia cognovimus in quibus angustiis versemi, venerabiles fratres, cum antiquus humani generis hostis aegerime ferens sanctissimam nostram fidem eiusque doctrinam maiora in istis regionibus incrementa quotidie magis suscipere, coeperit multorum odium et invidiam contra vos concitare. Ne abiiciatis animum, venerabiles fratres, sed, veluti optime dicitis, divino auxilio freti, ac potentissimo immaculatae Dei Genitricis Virginis Mariae, omniumque nostrum amantissimae matris patrocinio suffulti pergite maiori usque alacritate et studio ministerium vestrum implere, et omnia conamini, quo fideles curae vestrae concrediti in catholicae fidei professione stabiles et immoti magis in dies persistent, atque alacriori usque pede incedant per semitas Domini et insidiantium hominum errores, fallacias fraudesque studiosissime devitent, ac miseri errantes depulsa mentis caligine veritatis lucem aspiciant, et ad iustitiae semitam redeant. Atque inter angustias et difficultates, quae hisce praesertim luctuosissimis temporibus ab episcopali munere abesse non possunt, immarcescibilem illam cogitate gloriae coronam ab aeterno Pastorum Principe perseverantibus promissam. Persuassimum autem vobis sit, nos quam libentissime esse praestituros quidquid ad maiorem vestram et istorum fidelium utilitatem conducere posse noverimus. Interim haud omittimus in humilitate

exemplar ab ipso Archiepiscopo S. Ludovici accipies. Post haec Deum precor ut te diu sospitem incolumemque servet.

Datum Romae, ex aedibus S. C. de Prop. Fide, die xvi. februarii MDCCCLVII.

Amplitudinis Tuae, Ad officia paratissimus,

A. C. Barnabò, *Praefectus*.

Caetan., *Archiep. Thebar., a Secretis*.

R. P. D. Ioanni Purcell,

Archiepiscopo Cincinnatensi, Cincinnati.

De Martinis, VI(1), 236-237, note.

cordis nostri divitem in misericordia Deum orare et obsecrare, ut uberima quaeque suae bonitatis dona super vos propitius semper effundat, quae in dilectas quoque oves vobis traditas copiose descendant. Ac superni huius praesidii auspicem et praecipuae nostrae in vos paternae benevolentiae testem apostolicam benedictionem ex intimo corde profectam, vobis ipsis, venerabiles fratres, cunctisque istarum ecclesiarum clericis laicisque fidelibus peramanter impertimur.⁴

Datum Romae, apud S. Petrum sub annulo Piscatoris die XIX. iulii MDCCCLV., pontificatus nostri anno IX.

Sources: De Martinis, VI (1), 236-238; Mansi, XLVII, 186-187; *Coll. Lac.*, III, 199-200.

No. 113.

PIUS IX TO ARCHBISHOP KENRICK AND SUFFRAGANS

AUGUST 9, 1855

The Eighth Provincial Council of Baltimore convened on May 5, 1855, and closed on May 13. The Supreme Pontiff in response to the letter of the Council again urged the American hierarchy to effect the foundation of an American College in Rome.

Summary: We have received with joy your letter of May 13, in which you have shown your great reverence towards this Holy See. The petitions contained in your letter will be taken care of by Propaganda. We were happy to hear with what joy you and your people received the dogmatic definition of the Immaculate Conception; We are well aware that the Church in America reverences the Mother of God with special devotion. You can judge also with what pleasure We read of the increase of the clergy, religious institutions, etc., in those regions, and that there is hardly any corner of the country where religious men and women are not laboring. We congratulate you for your labors in keeping intact the discipline of the clergy, in fostering education, etc. And in the midst of the evil intents of the enemy of all mankind, do not lose heart but rather be comforted in the Lord, and in the patronage of the Blessed Virgin.

⁴ The *Acta et Decreta* of the Council are given in *Coll. Lac.*, III, 185-202.

Concerning the founding of an American College in Rome, We desire that the American bishops take counsel among themselves to have the College erected. Such a foundation would be most pleasing to Us and most useful for the faithful in the United States. We shall do all in Our power to further this cause. Be assured of Our special love for you whom We pray God to assist with His grace.

Venerabilibus fratribus Francisco, Archiepiscopo Baltimorensi; Richardo, Episcopo Vehelingensi; Michaeli, Episcopo Pittsburgensi; Ioanni, Episcopo Richmondensi; Ioanni, Episcopo Philadelphensi; Iosue, Episcopo Eriensi; ac dilectis filiis Ioanni Barry, administratori Ecclesiae Savannahensis, et Patritio Lynch, administratori Ecclesiae Carolopolitanae, in foederatis Americae provinciis,¹

PIUS PP. IX.

Venerabiles fratres, ac dilecti filii, salutem et apostolicam benedictionem.

Maximam quidem laetitiam percepimus ex vestris obsequentissimis aequae ac amantissimis litteris, quas die XIII. proximi mensis maii conscriptas in exitu provincialis Baltimorensis Concilii a vobis denuo concelebrati ad nos dedistis. Namque in iisdem litteris iterum perspeximus singularem ac perspectam pietatem, amorem et observantiam, qua personam humilitatis nostrae et hanc Sanctam Sedem colere tantopere laetamini, cum nihil vobis potius fuerit, quam de omnibus Concilii actis ex more maiorum ad supremam Petri Sedem referre, ac simul enixe precari ut decreta in ipso Concilio edita probare, vel etiam, ubi opus fuerit, emendare velimus, atque insuper nonnulla indulgere ac decernere, quae vos istae ad sanctissimae nostrae religionis incrementum pertinere posse existimatis. Vestris autem petitionibus congruum dabit responsum nostra Congregatio Fidei Propagandae praeposita, cui Concilii acta cognoscenda mandavimus, ac nostram super illis mentem significavimus. Singularem certe gaudio affecti fuimus cum ex eisdem litteris noverimus tanta vos, venerabiles fratres ac dilecti filii, istosque clericos laicosque fideles laetitia fuisse perfusos ob dogmaticam de immaculato Sanctissimae Dei Genitricis Virginis Mariae conceptu definitionem a nobis promulgatam, ut eorundem clericorum quoque et fidelium nomine maximas nobis pro eiusmodi decreto gratias egeritis. Quod quidem, etiamsi gratissimum, tamen nec novum nec inexpectatum nobis accidit, cum haud ignoremus quae quantaque sit vestra et istorum fidelium erga aliam Deiparam Virginem omniumque nostrum amantissimam matrem

¹ The suffragan Bishops of Baltimore were: Whelan of Wheeling, O'Connor of Pittsburgh, McGill of Richmond, Neumann of Philadelphia, Young of Erie, and the two administrators of two vacant Sees, John Barry of Savannah and Patrick Lynch of Charleston.

pietas et devotio. Ac per vos ipsi vel facile cogitando assequi poteritis, quanta animi nostri consolatione ex iisdem vestris litteris intellexerimus sanctissimam nostram religionem in istis regionibus, Deo bene iuvante, maiora in dies incrementa suscipere. Significastis enim istic quotidie magis templa Deo sacra erigi, sacerdotum numerum crescere, ac pluribus in locis pias domus et instituta pueris puellisque, cum ad divinae nostrae religionis scientiam atque ad pietatem, virtutem morumque honestatem informandis, tum ad litteras bonasque artes instituendis constitui, ac religiosas virorum et mulierum familias ita longe lateque propagari, ut in amplissimis istis regionibus difficile sit ullam reperiri plagam, quae earumdem religiosarum familiarum consortio, laboribus et exemplis non perfruat, ac magnas ex illis non percipiat utilitates. Itaque in humilitate cordis nostri immortales clementissimo bonorum omnium largitori Deo agimus gratias, ac simul ab ipso enixe exposcimus, ut super istos populos magis in dies multiplicet misericordiam suam, quo omnes occurrant in unitatem fidei et cognitionis Domini nostri Iesu Christi. Vobis autem vehementer ex animo gratulamur, quod coelesti ope freti, ac vestri muneris optime memores, vestram omnem operam, curam, industriam, sollicitudinem ac laborem impendere gloriamini, ut in dioecesibus vigilantiae vestrae commissis sanctissimae fidei depositum integrum inviolatumque custodiatur; ut cleri disciplina sarta tecta servetur, eiusque accurata procuretur institutio; ut christiana puerorum ac puellarum educatio foveatur, et populorum religio, pietas, virtus magis ac magis excitetur et inflammetur. Pergite, venn. fratres ac dilecti filii, maiori usque studio et contentione omnes muneris vestri partes implere, nihilque unquam intentatum relinquere, ut isti populi vobis concrediti, magis in dies enutriti verbis fidei, crescant in scientia Dei et per gratiarum charismata confirmati alacriori usque pede incedant per semitas Domini, ac miseri errantes veritatis lucem aspiciant, et ad iustitiae tramitem redeant, et ad unicum Christi ovile confugiant. Atque inter multiplices nefariosque impetus et conatus, quibus teterrimus humani generis hostis aegerrime ferens sanctissimam nostram religionem per istas regiones feliciter propagari, vos adoriri ac vexare connititur, nolite, ut optime dicitis, unquam expavescere; sed confortati in Domino et in potentia virtutis eius, ac potentissimo immaculae Virginis Mariae patrocinio suffulti, et laborantes veluti boni milites Christi Iesu, ne desinatis unquam certare bonum certamen, praedicare verbum, instare opportune, importune, arguere, obsecrare, increpare in omni patientia et doctrina, et omnia pro Dei gloria et sempiterna hominum salute strenue constanterque agere et sustinere, cogitantes immarcescibilem illam gloriae coronam ad aeterno Pastorum Principe perseverantibus promissam.

Iam vero quod attinet ad collegium in hac alma Urbe nostra constituendum pro istius nationis clericis rite educandis, de quo verba facitis in iisdem vestris litteris, noseatis velimus, per nostras litteras kalendis ianuarii vertentis anni datas, nos venn. fratribus Ioanni Archiepiscopo Neo-Eboracensi eiusque suffraganeis Episcopis significasse, vehementer

nos optare ut istarum regionum sacrorum Antistites, collatis inter se consiliis consociatisque viribus, eiusmodi Collegium Romae erigere velent. Quae sane res nobis gratissima esset, propterea quod, veluti pro vestra sapientia probe nostis, ad spirituale istorum populorum bonum summopere conduceret. Quocirca nos quidem, quantum in nobis est, haud omitteremus tam salutare opus omni studio quam libentissime iuvare, cum idem collegium vestris aliorumque venn. fratrum istarum provinciarum Antistitum curis, consiliis et sumptibus in hac urbe esset erigendum. Denique pro certo habete, venn. fratres ac dilecti filii, nos praecipua vos caritate prosequi, ac sine intermissione a clementissimo misericordiarum Patre et Deo totius consolationis humiliter enixeque efflagitare, ut in abundantia divinae suae gratiae vobis semper propitius adesse, vestrisque pastoralibus curis et laboribus benedicere velit. Atque superni huius praesidii auspicem et propensissimae nostrae in vos voluntatis testem accipite apostolicam benedictionem, quam ex intimo corde depromptam vobis ipsis, venn. fratres ac dilecti filii, cunctisque istarum ecclesiarum clericis laicisque fidelibus peramanter impertimur.²

Datum Romae apud S. Petrum sub annulo Piscatoris die ix. augusti MDCCCLV., pontificatus nostri anno x.

Sources: De Martinis, VI (1), 239-240; *Coll. Lac.*, III, 155-168. The *Pastoral Letter* is given in *Coll. Lac.*, III, 1155 ff.

No. 114.

PIUS IX TO PETER R. KENRICK AND SUFFRAGANS

DECEMBER 16, 1855

The First Provincial Council of St. Louis was convoked by Archbishop Kenrick for October 7, 1855. The Council closed on October 14 and on that day the prelates addressed a letter to Pius IX which the Roman Pontiff answered by the papal Brief of December 16, 1855. The prelates petitioned the Holy See for the erection of the Diocese of Prairie du Chien, but this request was denied.

Summary: We received with pleasure your letter of October 14, in which you give evidence of your great reverence towards this Holy See. We congratulate you for these sentiments and for your zeal in holding this First Provincial Council. Continue your good

² The *Acta et Decreta* of the Council are printed in *Coll. Lac.*, III, 155-168.

labors for the spread of the Faith, the preservation of discipline among the clergy, the conversion of the erring, etc. Do manfully, and be comforted in the Lord and await with hope the undying crown of glory promised to those who persevere. Be assured that nothing will please Us more than to help you and your people as far as lies in Us.

*Venerabilibus fratribus Petro-Richardo, Archiepiscopo S. Ludovici; Matthiae, Episcopo Dubuquensi; Richardo-Pio, Episcopo Nashvillensi; Ioanni-Martino, Episcopo Milwauchiensi; Iosepho, Episcopo S. Pauli, et Antonio, Episcopo Chicagiensi, in foederatis Americae regionibus.*¹

PIUS PP. IX.

Venerabiles fratres, salutem et apostolicam benedictionem.

Vehementer nos delectarunt vestrae obsequentissimae litterae, die xiv. proximi mensis octobris datae, ac nobis nuper redditae, quibus significatis, vos sapientissimis Concilii Tridentini praescriptis inhaerentes, in civitatem Sancti Ludovici, istius Missouriensis status, convenisse ad primam provincialem synodum concelebrandam, atque ex more maiorum ipsius synodi acta ad hanc Sanctam Sedem misisse, ut supremo nostro et eusdem sedis iudicio subiiciantur et cognoscantur. Namque in iisdem litteris undique elucet singularis vestra erga nos et hanc Petri Cathedram, catholicae unitatis centrum omniumque ecclesiarum matrem et magistrum, pietas, amor et observantia. Itaque vobis ex animo gratulamur de hisce egregiis religiosissimae vestrae mentis sensibus, qui catholicos Antistites omnino decent, ac simul meritas vobis, venni. fratres, tribuimus laudes, quod pro eximia vestra religione et episcopali sollicitudine eandem provincialem synodum habendam curastis, ut in nomine Domini congregati collatis inter vos consiliis ea statueretis quae ad maiorem istic Dei gloriam et animarum salutem procurandam conducere existimastis. Congruum autem de eadem synodo responsum accipietis a nostra Congregat. Fidei Propagandae praeposita,² cui commisimus,

¹ The suffragan bishops were: Matthew Loras (Dubuque), Richard Miles (Nashville), John Martin Henni (Milwaukee), Joseph Cretin (St. Paul), and Anthony O'Regan (Chicago).

² Following is the letter of Propaganda on the Council:

LITTERAE

Reverendissimi ac Eminentissimi Cardinalis Barnabò, Praefecti Sacrae Congregationis de Propaganda Fide, ad Reverendissimum Dominum Archiepiscopum S. Ludovici.

Illme et Rme Domine,

Plures ob causas responsiones circa provinciale Concilium Sancti Ludovici dilationem pati debuerunt, potissimum vero eo quod proponi simul

ut ipsius synodi decreta ex more accurate perpendat ac deinde omnia ad nos sedulo referat. Interim vero pro paterna nostra in vos et istos populos caritate haud possumus quin vobis addamus animos, venn. fratres, ut divino auxilio freti ac potentissimo Immaculatae ac Sanctissimae Genitricis Virginis Mariae patrocinio innixi, maiori usque alacritate, contentione ministerium vestrum implentes bonumque certamen certantes, quantum cura, labore, vigiliis, auctoritate, consilio eniti

oportuit acta et decreta quatuor Conciliorum istius regionis, necnon quae seorsim per nonnullos Antistites referebantur.

Primo autem Emi Patres significandum Amplitudini Tuae duxerunt, ut acta quoque memoratae provincialis Synodi transmitteres, quemadmodum per Antistites aliarum provinciarum praestitum est.

Ad decreta vero quod pertinet, ea tantum attingam, quae adnotatione digna visa sunt: ac primo circa decretum tertium quo de *missionis* titulo agitur, praemoneam instructionem brevi esse mittendam, qua nonnulla capita hac in re opportune disposita tradantur.

Plurima animadvertebantur circa decretum sextum, praesertim quod satius esset ad iudicium exercendum ipsos adhibere consultores selectos iuxta alterum Baltimorese Concilium pro gravioribus negotiis pertractandis; haud rite distingui Ordinarium a Vicario Generali; difficultatem quoque facere posse verba illa *quorum unus saltem sententiae ab Ordinario, seu a Vicario Generali ferendate adhaerere debeat*. Melius itaque provisum iri visum est, si accuratius ad Tridentinae Sanctionis tramitem diceretur—scilicet—ut *Episcopus seu Vicarius eius Generalis de ipsius commissione duos eiusdem Episcopi consultores, nec semper eosdem, eligat, qui ei presbyterum criminis postulatum iudicaturum, coram notario tamen ipsius Episcopi, assistant. Unum autem sit utriusque rotum, possitque alter Episcopo accedere. Quod si ambo ab Episcopo seu eius Vicario discordes fuerint, tertium tunc ex praedictis suis consultoribus ipse eligat, et iuxta eam partem cum qua tertius convenit, causa terminetur. Si vero contigerit omnes consultores ab Ordinario electos, ab eius sententia dissidere, tunc ad Metropolitanum, etc.* Faveas vero exemplar huius decreti post emendationem peractam ad caeteros Metropolitanos istius regionis mittere, cum ex Sanctae Congregationis mente illis pariter sit commendandum.

Ad petitiones quod pertinet, placuit Vicariatum Apostolicum ad Orientem, ut dicuntur, Saxosorum Montium in duos partiri, (traduntur autem hac de re litterae apostolicae) ea tamen ratione ut interim regionis totius cura penes Rmum P. D. Miège, Episcopum Messanensem, maneat; fiat vero nova Sacerdotum propositio, ut uni ex his alter Vicariatus Apostolicus tradi possit.

Circa propositam erectionem Episcopatus Canipratensis differri resolutionem voluerunt, significandum vero Episcopo ut interim per alium tanquam delegatum suppleat.

Probata vero est translatio ad Alton Episcopalis Sedis quae assignata iam fuerat civitati Quincy: in Episcopatum autem Altonensem electus est

atque efficere potestis, nihil unquam praetermittatis quod ad Ecclesiae causam istic tuendam, ad augustam nostram religionem, eiusque salutarem doctrinam propagandam, ad ecclesiasticam disciplinam sartam tectamque servandam, ad accuratam cleri institutionem promovendam, ad pietatem quotidie magis in populorum fidelium animis excitandam, atque ad errantium conversionem procurandam pertinere posse noveritis. Nullus vero labor, molestia nulla vos unquam deterreat, immo viriliter agite, venerabiles fratres, et confortamini in Domino, et in potentia virtutis eius, expectantes beatam spem et immarcescibilem gloriae coronam ab aeterno Pastorum Principe perseverantibus promissam, ac memoria semper repetentes quod qui ad iustitiam erudiunt multos, fulgebunt quasi stellae in perpetuas aeternitates. Ac persuasissimum vobis sit nihil certe nobis gratius futurum quam ea praestare, quae ad maiorem vestram et istorum fidelium utilitatem spectare posse cognoverimus. Interim vero haud omittimus humiles fervidasque clementissimo misericordiarum Patri adhibere preces, ut in abundantia coelestis suae gratiae vobis propitius semper adsit vestrisque pastoralibus curis

presbyter Dominus Henricus Junker [Juncker]. De his pariter literae apostolicae adiiciuntur.

Ex additis demum apostolicis literis animadvertes Sanctissimum Dominum nostrum iuxta votum Sacrae Congregationis annuisse precibus Amplitudinis Tuae ut R. Dominus Iacobus Duggan Coadiutor assignaretur; precibus item Episcopi Dubuquensis, ut illi pariter Coadiutor daretur R. P. Clemens Smyth, ordinis Cisterciensis, et quidem titulo ea ratione ut ambo ad gradum episcopalem in partibus infidelium promoveantur.

Censuerunt pro ista etiam provincia aptandas esse modificationes occasione alterius Synodi traditas; videlicet cum per alios Antistites postulatam fuerit, ut prima propositio promovendorum ad episcopatum per consultores fieret, eaque de cause consultorum numerus augeri posset, Sacra Congregatio respondit, id relinquendum conscientiae et prudentiae Episcopi: ita quidem ut ratio iugiter habeatur nominum quae in schedis defuncti Episcopi commendata deprehenderentur. Item petitio facta est ut de commendandis ad episcopatum iugiter in conventu Episcoporum ageretur, et tantum Archiepiscopi et Episcopi alterius provinciae fieret interpellatio cum proponendus extra provinciam degeret: id quidem fuit admissum cum clausula: *si commode fieri possit, sin minus per epistolam*; quoties vero de novis sedibus episcopalibus erigendis, vel altero archiepiscopatu statuendo pertractio iniri placeat, methodus hactenus adhibita servetur.

Post haec Deum precor ut Te diu sospitem incolumemque servet.

Datum Romae ex aedibus Sacrae Congregationis de Propaganda Fide, die XVII. februarii MDCCCLVII.

Amplitudinis Tuae, ad officia paratissimus,

A. C. Barnabò, *Praefectus*.

Caetan., *Archiep. Thebar., a Secretis*.

De Martinis, VI (1), 244-245, note.

et laboribus benedicat, quo Ecclesia sua sancta in istis regionibus maiora in dies incrementa suscipiat, et omnes crescant in scientia Dei et cognitione Iesu Christi, ac per bona opera certam eorum vocationem et electionem faciant. Atque huius superni praesidii auspicem, et studiosissimae nostrae in vos voluntatis testem apostolicam benedictionem, ex intimo corde profectam, vobis ipsis, vnn. fratres, cunctisque istarum ecclesiarum clericis laicisque fidelibus peramanter impertimur.³

Datum Romae apud S. Petrum sub annulo Piscatoris die xvi. decem. MDCCCLV., pontificatus nostri anno x.

Sources: De Martinis, VI (1), 244-246; *Coll. Lac.*, III, 309-310.

No. 115.

PIUS IX TO ARCHBISHOP BLANC AND SUFFRAGANS

APRIL 10, 1856

The First Provincial Council of New Orleans convened on January 20, and closed on January 27, 1856. Pius IX answered the letter of Kenrick and his suffragans by the following papal Brief.

Summary: We have received with pleasure your letter of January 27, in which you give evidence of your great respect for this Holy See and solicitude for the cause of religion. Although We are filled with sorrow on reading that evil men have risen up against the Church to persecute Her, still We rejoice that even from their evil works God has drawn good. For you have mentioned that many fallen-away Catholics have returned to the Faith and that many others have been converted. From this it may be seen how numerous the children of the Church have become in the United States. You may readily understand how pleased We were to learn that our religion has increased in that province.

We are rejoiced that you are in agreement with Us concerning the erection of the American College in Rome and that you desire the establishment of the College as soon as possible.

³ The Holy See did not follow the recommendation of the Council to establish the Diocese of Prairie du Chien. The See of Quincy was transferred to Alton. The *Acta et Decreta* of the Council together with the responses of the Holy See are given in *Coll. Lac.*, III, 303-312.

Knowing your singular devotion towards the Blessed Virgin, We were not surprised at your feelings of joy at the dogmatic definition of the Immaculate Conception.

Concerning the acts of the Council, you shall in due time receive an answer from the Sacred Congregation.

Continue your ministry. Do not lose heart but be comforted in the Lord. Be assured of Our special love for you. Nothing can please Us more than to do what lies in Us for the good of you and your people.

Venerabilibus fratribus Antonio, Archiepiscopo Neo-Aurelianensi; Michaeli, Episcopo Mobiliensi; Ioanni-Mariae, Episcopo Galvestonensi; Andrea, Episcopo Petriculano; et Augusto Mariae, Episcopo Natchitochensi,

PIUS PP. IX.

Venerabiles fratres, salutem et apostolicam benedictionem.

§ 1. Vehementer nos delectarunt vestrae obsequentissimae litterae die xxvii. proximi mensis ianuarii datae, quas summo animi nostri gaudio nuper accepimus una cum actis primi provincialis Concilii a vobis concelebrati. In iisdem enim litteris undique elucere perspeximus, venn. fratres, egregiam vestram religionem, pietatem ac mirificam erga nos et hanc Petri cathedram, catholicae unitatis centrum omniumque ecclesiarum matrem ac magistram, observantiam, nec non eximiam pastorem sollicitudinem, qua summopere animati estis ad Dei gloriam amplificandam, eiusque Sanctae Ecclesiae causam strenue tuendam, et sempiternam hominum salutem studiosissime procurandam; qui quidem egregii omnique laude digni religiosisimae vestrae mentis sensus summam nobis attulerunt consolationem. Etsi vero ex iisdem vestris litteris non levi dolore noverimus quibus nefariis crudelibusque insidiis inimici homines acerrimum immaculatae Christi Sponsae bellum istie facere connitantur, tamen non parum in Domino gavisus sumus, cum significaveritis, eiusmodi impios impetus conatusque a Deo irritos effectos ad ipsius Dei opus magis ac magis constabiliendum valuisse. Namque nunciastis, non solum multos catholicos, qui ante proprias obligationes nimis negligebant, suum excussisse torporem, et ardentiori pietatis et religionis studio fuisse inflammatos, verum etiam non paucos in errorum tenebris morantes catholicae Ecclesiae veritatem agnovisse. Ex quo evenit, ut clarius appareret, quam numerosi sint catholicae Ecclesiae filii, qui in foederatis istis Americae regionibus existunt. Ac per vos

¹ The Conciliar Fathers were: Archbishop Anthony Blanc, Michael Portier (Mobile), John M. Odín (Galveston), Andrew Byrne (Little Rock), and August Martin (Natchitoches).

ipsi facile intelligitis, venn. fratres, quam gratum nobis fuerit, ex iisdem vestris litteris agnoscere quomodo sanctissima nostra religio in ecclesiastica ista provincia paucis abhinc annis, Deo bene iuvante, maiora incrementa suscepit, et multis in locis nova excitata fuerint templa et instituta, quibus utriusque sexus iuventus ad pietatem et catholicam educationem informatur, et quomodo saecularis clerus auctus fuerit, ac simul plures existant religiosas familiae, quae vobis manum, auxilium et operam praestant in dominico agro excolendo.

§ 2. Libentissime autem novimus iucundissimum vobis vestroque clero et fideli populo extitisse consilium a nobis propositum erigendi scilicet in hac alma Urbe nostra collegium, in quo adolescentes istarum regionum clerici vel ab ineunte aetate tum pietate, tum bonis artibus imbuantur, atque incorruptam doctrinam ex ipso fonte hauriant, et sacros ritus sanctissimasque caeremonias ex Romanae Ecclesiae more institutisque condiscant, ut disciplinis optimis exculi in propriam redeuntes patriam vobis auxilio et Ecclesiae usui et ornamento esse possint. Ac nobis gratissimum fuit accipere, nihil vobis et eidem clero ac populo potius esse, quam omnia velle conari, ut collegium idem quamprimum erigi queat.

§ 3. Iam vero cum haud ignoremus qua singulari pietate Sanctissimam Dei Gentricem Virginem Mariam prosequamini, tum nec novi, nec inexpectati nobis fuerunt laetitiae et exultationis sensus, quibus vos, venn. fratres, summopere affecti fuistis ob dogmaticam de Immaculato ipsius Deiparae Conceptu definitionem a nobis promulgatam. Nos certe quidem incredibili gaudio et consolatione perfusi fuimus in tam augusta re peragenda, atque una vobiscum ea prorsus fiducia nitimur fore, ut ipsa gloriosissima Virgo, omniumque nostrum amantissima mater potentissimo suo apud Eum, quem genuit, patrocinio efficiat, ut Sancta mater Ecclesia, cunctis amotis difficultatibus cunctisque profligatis erroribus, a solis ortu usque ad occasum maiora incrementa suscipiat, et magis in dies vigeat, floreat, dominetur, et omnes miseri errantes, discussa mentis caligine, ad veritatis ac iustitiae semitam redeant.

§ 4. Nunc vero quod attinet ad acta primi vestri provincialis concilii, quae ex more maiorum nostro et huius Sanctae Sedis iudicio subiicere gloriati estis, illa ad nostram Congregationem Propagandae Fidei praepositam misimus, ut acta ipsa recognoscat, ac deinde omnia sedulo nobis referat, quo congruum vobis de actis ipsis responsum dare possit.

§ 5. Pergite vero, ut facitis, venn. fratres, maiore usque alacritate ministerium vestrum implere, Dei gloriam amplificare, eiusque Sanctae Ecclesiae causam fortiter prudenterque defendere, et animarum salutem opportunissimis quibusque modis quaerere. Atque inter angustias et difficultates ne abiiciatis unquam animum, sed confortamini in Domino, et in potentia virtutis eius, immarcescibilem illam gloriae coronam prae oculis semper habentes ab aeterno Pastorum principe perseverantibus

promissam. Pro certo autem habeatis velimus, praecipuam esse benevolentiam, qua vos, venn. fratres, et fideles populos curae vestrae commissos prosequimur, ac nihil nobis gratius fore, quam ea peragere, quae ad maiorem vestram et eorumdem fidelium utilitatem pertinere posse noverimus. Interim vero haud omittimus divitem in misericordia Deum humiliter enixeque obsecrare, ut in abundantia divinae suae gratiae vobis semper propitius adesse velit, vestrisque pastoralibus curis, laboribus et consiliis benedicat. Atque divini huius praesidii auspicem, et propensissimae nostrae in vos voluntatis testem, apostolicam benedictionem ex intimo corde profectam vobis ipsis, venn. fratres, cunctisque istarum ecclesiarum clericis laicisque fidelibus peramanter impertimus.²

Datum Romae, apud S. Petrum sub annulo Piscatoris, die x. aprilis MDCCCLVI., pontificatus nostri anno x.

Sources: De Martinis, VI (1), 253-254; *Coll. Lac.*, III, 245-246.

No. 116.

PIUS IX

JANUARY 8, 1857

The First Provincial Council of Cincinnati (1855) petitioned the Holy See to erect the Diocese of Sault Ste. Marie and to divide Vincennes into two Dioceses: Fort Wayne and Vincennes. The Holy See responded favorably to both petitions.

Summary: The Archbishop and Bishops of the Provincial Council of Cincinnati have petitioned Us to erect a new diocese in the extensive Diocese of Vincennes.

Wishing to comply with their request, We detach the following Counties from the Diocese of Vincennes, viz., Fountain, Montgomery, Boone, Hamilton, Madison, Delaware, Randolph, and Warren. These counties, We erect into a separate diocese, whose episcopal See shall be in the city of Fort Wayne. The diocese shall be suffragan to Cincinnati.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Ex debito pastoralis officii humilitati nostrae divinitus impositi

² The *Acta et Decreta* of the Councils together with the responses of the Holy See are printed in *Coll. Lac.*, III, 233-248.

ad eam partem dominici gregis curas nostras intendimus, quae longo terrarum marisque tractu seiungitur, ac, si illius incolumitati ac bono expedire intelligamus, novas dioeceses apostolica nostra auctoritate pro re ac tempore erigimus.

§ 2. Iamvero Archiepiscopus et Episcopi ecclesiae provinciae Cincinnatiensis in foederatis Americae septentrionalis regionibus synodum provincialem¹ celebrantes nobis exposuerunt, Vincennopolitanam dioecesim nimis amplam existere, atque adeo ad facilius illorum christifidelium salutem procurandam plurimum expedire, ut distracta ex eadem dioecesi pars aliqua in peculiarem ac distinctam dioecesim per nos erigatur proprio Antistiti committenda; qua super re preces nobis porrigendas curarunt.

§ 3. Nos igitur probe intelligentes ex aucto pastorum numero magis consultum iri securitati christiani gregis, de consilio venerabilium fratrum nostrorum Sanctae Romanae Ecclesiae Cardinalium negotiis Propagandae Fidei praepositorum ad propositam novae dioecesis fundationem deveniendum censuimus.²

§ 4. Itaque matura nostra deliberatione atque ex plenitudine apostolicae auctoritatis a dioecesi Vincennopolitana sequentes regiones seu comitatus, ut vocant, seiungimus ac dismembramus, nempe comitatus Fountain, Montgomery, Boone, Hamilton, Madison, Delaware, Randolph et Warren,³ easdemque regiones seu comitatus in veram ac proprie dictam dioecesim erigimus et constituimus, eiusque episcopalem sedem sitam volumus in oppido cui nomen Fort-Wayne, atque exinde novam hanc dioecesim Wayne-Castrensem nuncupari mandamus. Illam porro suffraganeam esse iubemus Archiepiscopi Cincinnatiensis, atque omnibus honoribus, privilegiis, iuribus frui, quibus aliae episcopales ecclesiae fruuntur et gaudent.

§ 5. Haec volumus et praecipimus, decernentes has literas firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis ad quos spectat et pro tempore quandocumque spectabit, plenissime suffragari.⁴

¹ Cf. First Provincial Council of Cincinnati, 1855, Document 112.

² For the history of the diocese, cf. Alerding, H. J., *History of the Diocese of Fort Wayne* (Fort Wayne, 1907).

³ The Sacred Congregation made a glaring mistake here, for the counties mentioned, according to the petition of the Council of Cincinnati, were to form the *southern boundary* of the new diocese, not the diocese itself. The result was that the episcopal See, Fort Wayne, was situated outside the diocese (Allen County). No account was taken of the incorrect wording of the Bull until Archbishop Moeller referred the matter to Rome and received a decree dated March 29, 1912 formally correcting the mistake. *Acta Apostolicae Sedis*, IV (1912), 338.

⁴ James Frederic Wood had been recommended by the First Provincial

§ 6. Non obstantibus etc.

Datum Romae, apud S. Petrum sub annulo Piscatoris, VIII. ian. MDCCCLVII., pontificatus nostri anno XI.

Source: De Martinis, VI (1), 273.

No. 117.

PIUS IX

JANUARY 9, 1857

Summary: The Archbishop and Bishops of the Province of Cincinnati have petitioned Us to erect the Vicariate-Apostolic of Michigan into the Diocese of Sainte Marie. Having taken counsel with the Cardinals of the Sacred Congregation de Propaganda Fide, We have come to the conclusion that the aforesaid Diocese should be established. The new See shall be suffragan to the Archbishop of Cincinnati.

PIUS PP. IX.

Ad futuram rei memoriam.

Supremi Apostolatus officio, Deo sic volente, fungentes, Catholicae Religionis bono per omnes regiones providere satagimus, prout res tempusque postulant. Jam vero, constituto jam alias a Nobis Vicariatu Apostolico in Superiori Peninsula status Michigan¹ intra limites Provinciae Ecclesiasticae Cincinnatiens. in Foederatis Americae Septentrionalis Statibus, Archiepiscopus, et Episcopi dictae Provinciae Synodum celebrantes,² cum satis per eas regiones rem ecclesiasticam constitutam agnoscerent, votum ediderunt, quatenus ipsum Districtum, unde Vicariatus ille Apostolicus exurgebat, Apostolica Nostra Auctoritate in novam Dioecesim erigeretur, Episcopali Sede constituta in Civitate, vulgo Sainte Marie nuncupatur, ex qua Dioecesis Marianopolitana

Council of Cincinnati as the incumbent of the new See, but since he had been appointed Coadjutor to Philadelphia, Propaganda desired the prelates to propose other names (Barnabò to Purcell, February 16, 1857, in *Coll. Lac.*, III, 201). The choice fell upon John Henry Luers. He was born near Muenster, Westphalia, September 28, 1819. He came to the United States in 1833, was ordained in 1846, consecrated on January 10, 1858, and died on June 29, 1871. Clarke, *Lives of Deceased Bishops*, II, 555-558; Alerding, *op. cit.*

¹ Cf. Document 108.

² Cf. Document 112.

appellaretur, illaque uti Suffraganea Archiepiscopo Cincinnatensi assignaretur. Nos porro deliberatione habita circa hoc cum VV. FF. NN. S. R. E. Cardinalibus negotiis Propagandae Fidei praepositis huic voto annuere, atque, ut infra, disponere censuimus. Itaque, motu proprio, certa scientia, ac matura deliberatione Nostra Districtum unde prae-fatus Vicariatus Apostolicus Superioris Peninsulae Status Michigan exurgebat, in veram ac proprie dictam Dioecesim ex plenitudine Apostolicae Nostrae potestatis per praesentes Litteras erigimus, et instituimus, ejusque Episcopalem Sedem Civitatem, vulgo dictam Sainte Marie³ esse volumus, unde illa Marianopolitana appelletur, datis ei, atque attributis omnibus honoribus, privilegiis, et juribus, quibus aliae Episcopales Ecclesiae fruuntur et gaudent, necnon eandem Archiepiscopi Cincinnatensis Suffraganeam esse jubemus. Haec volumus, etc. Non obstantibus, etc. Datum Romae apud S. Petrum sub Annulo Piscatoris, die IX. Januarii Anno MDCCCLVII., Pontificatus Nostri anno undecimo.

Source: Facsimile copy of original document, in Rezek, A. I., *History of the Diocese of Sault Ste Marie and Marquette* (Houghton, Michigan, 1906), I, 101.

No. 118.

PIUS IX TO FRANCIS P. KENRICK AND SUFFRAGANS

JUNE 10, 1858

The Ninth Provincial Council of Baltimore convened on May 2, and closed on May 9, 1858. The Fathers of the Council wrote to Pius IX on May 9, and received the following papal Brief in reply.

Summary: With great pleasure, We received your letter of May 9, in which you subjected the acts of the Council to Us. Nothing could please Us more than that you cease not to impress upon your people the necessity of obeying and adhering to the Holy See. We were filled with sorrow to learn that there have arisen in those regions societies, the works of evil men, who strive to mislead the unwary and to undermine our holy religion. But your zeal has lessened Our sorrow. We are confident that, with the grace of God, the evil designs of men will come to naught and that religion will flourish through your labors.

³ Marquette was added to the title of the diocese in 1865.

Concerning the acts of the Council, you shall receive an answer in due time from the Propaganda. There is no reason why you should thank Us for seeking your counsel concerning the needs of your people, for We desire greatly to do what lies in Us for their good. Be assured that We pray God earnestly to bless your labors.

*Venerabilibus fratribus Francisco-Patritio Archiepiscopo Baltimorensi, et eius suffraganeis,*¹

PIUS PP. IX.

Venerabiles fratres, salutem et apostolicam benedictionem.

Summae quidem voluptati ac laetitiae nobis fuerunt obsequentissimae vestrae litterae die IX. proximi mensis maii datae, quibus, venni. fratres, ex more maiorem supremo nostro et huius Apostolicae Sedis iudicio subiecistis acta² noni Baltimorensis Provincialis Concilii, quod concelebrastis, ut in Domino congregati ea statueretis, quae pro pastoralis vestra sollicitudine ad rem catholicam, sacramque disciplinam, et morum ho-

¹ The suffragan bishops present at the Council were: O'Connor of Pittsburgh, McGill of Richmond, Neumann of Philadelphia, and his Coadjutor Bishop Wood, Young of Erie, Barry of Savannah, Lynch of Charleston, and Augustine Verot, Vicar-Apostolic of Florida.

² The *Acta et Decreta* of the Council are printed in *Concilium Baltimorensis Provinciale IX* (Baltimore, 1858); *Coll. Lac.*, III, 169-182. The *Pastoral Letter* is printed *ibid.*, 1195 ff. The First Plenary Council of Baltimore (1852) had requested the Holy See to grant the privilege of preeminence of honor to the See of Baltimore. This petition was approved on July 19 and granted by Pius IX on July 25, 1858:

Quum Patres Concilii Baltimorensis Plenarii anno 1852 habiti, pro aliquo privilegio Sedis Baltimorensis concedendo, SSmo Dno Nostro supplicassent; quumque in Synodo Provinciali Mense Maio, anni 1858 celebrati, Episcopi Provinciae pariter Baltimorensis supplicem libellum iterum ad Sanctitatem Suam exarassent, in quo in specie praeminentiam honoris praedictae Sedi Metropolitanae postularunt, ut a caeteris distingueretur, ac memoriae traderetur Ecclesiam illam, omnium ferme per Foederatas Americae Septentrionalis Provincias matrem extitisse, Emi ac Revmi Patres S. Consilii Christ. Nom. Propagando, in Generalibus Comitibus diei 19. Julii nuper elapsi, censuerunt expedire ut Loci Praerogativa Sedi Baltimorensi concedatur, ita ut in Conciliis, coetibus, et comitiis quibuscumque, Archiepiscopo Baltimorensi pro tempore existenti praecedentia, princepsque in sedendo locus, supra quosvis istarum Provincialium Archiepiscopos, si qui adsint, nullâ habita ratione promotionis seu ordinationis, tribuatur.

Hanc vero S. C. sententiam cum Emus ac Revmus D. Alexander Cardinalis Barnabo, ejusdem Praefectus, retulisset SSmo Dno Nostro Pio PP.

nestatem istie magis magisque tuendam ac fovendam conducere existimastis; siquidem in eisdem litteris, cum maximo animi nostri gaudio, unique elucere perspeximus egregiam vestram religionem, pietatem eximiamque erga nos et hanc Petri Cathedram fidem, observantiam, amorem et venerationem. Nihil autem nobis gratius contingere poterat, quam ex iisdem litteris agnoscere singulare studium, catholicis Antistitibus plane dignum, quo, venn. fratres, fidelibus populis curae vestrae commissis etiam atque etiam inculcare non desistitis ut nobis et eidem Petri cathedrae firmissime adhaereant ac sedulo obediant, quae est nuntia veritatis, lux vitae, salutis index, et catholicae unitatis centrum, ac metropolis pietatis, quaeque disponente Domino per totum terrarum orbem primatum obtinens luget, et omnium ecclesiarum non modo caput, sed mater est atque magistra; in qua est integra ac perfecta christianae religionis soliditas, et in qua Petrus semper in suis successoribus vivit, et iudicium exercet, ac praestat quaerentibus fidei veritatem. Equidem maximam nobis attulit consolationem hoc episcopale vestrum studium in inculcanda erga nos et hanc Sanctam Sedem reverentia, observantia ac veneratione.

Non mediocri autem dolore affecti fuimus, cum ex iisdem vestris litteris noverimus innumeras prope istie in dies oriri sectas, inimicorum hominum opera, qui monstrosis quibusque opinionum portentis, nefariisque molitionibus, improvidos praesertim et imperitos in errorem inducere, omniumque animos mentesque corrumpere, pervertere ac sanctissimae nostrae religionis summam et fundamenta labefactare, ac, si fieri unquam posset, funditus evertere, et iura omnia divina et humana permiscere connituntur. Quem nostrum dolorem non parum lenit sacerdotalis vester zelus. Certi enim sumus vos, venn. fratres, divino auxilio fretos, ac divinae nostrae religionis studio animarumque amore incensos, quantum cura, labore, vigiliis, auctoritate, consilio ac salutaribus opportunisque scriptis eniti et efficere potestis, maiore usque alacritate et contentione nihil unquam intentatum esse relicturos, ut concordissimis animis coniunctisque veribus, catholicae Ecclesiae causam strenue tueri ac defendere, et insidiantium hominum tela retundere, impetus frangere, ac dilectarum ovium saluti incolumitatieque sedulo prospicere, et errantes ad veritatis, iustitiae salutisque semitas reducere, eosque Christo lucrifacere valeatis.

Iam vero quod attinet ad commemorati Concilii acta, cum illa nostrae Congregationi Fidei Propagandae examinanda ex more commiserimus,

IX., in Audientia habita die 25. Julii hujus anni, SSmus eam benigne approbavit, ac praesens Decretum expediri iussit.

Datum Romae, ex Aed. dictae S. Congregationis de Propaganda Fide, die 15 Augusti, 1858.

Al. C. Barnabò, *Praefectus*.
Cajetanus, *Archiep. Thebar., a Secretis*.
CPB, II, 307-308.

ut omnia accurate ad nos referat, tum ipsa Congregatio congruum suo tempore de actis ipsis responsum vobis dare curabit.

Nihil erat cur nobis ageretur gratias, quod cupiamus ea inire consilia, quae in istorum fidelium bonum cedant, cum nos summopere optemus peragere quicquid ad maiorem vestram et eorundem fidelium utilitatem possunt pertinere. Denique pro certo habete, nos haud omittere assiduas fervidasque Deo Optimo Maximo adhibere preces, ut in abundantia divinae suae gratiae vobis semper propitius adsit, ac pastoralibus vestris laboribus benedicat, quo Ecclesia sua sancta eiusque salutaris doctrina in istis regionibus maiora in dies incrementa suscipiat ac prospere vigeat et floreat. Atque huius superni praesidii auspicem, et praecipuae nostrae in vos benevolentiae pignus, apostolicam benedictionem ex intimo corde depromptam vobis ipsis, vni. fratres, cunctisque istarum ecclesiarum clericis laicisque fidelibus peramanter impertimur.

Datum Romae apud S. Petrum, sub annulo Piscatoris, die x. iunii MDCCCLVIII., pontificatus nostri anno XII.

Sources: De Martinis, VI (1), 286-287; *Coll. Lac.*, III, 596.

No. 119.

PIUS IX TO ARCHBISHOP PURCELL AND SUFFRAGANS

JUNE 14, 1858

The Second Provincial Council of Cincinnati opened on May 2, and closed on May 9, 1858. To the letter of the Council written on May 9, the Supreme Pontiff answered with the following papal Brief.

Summary: We have received with pleasure your letter of May 9, in which you gave evidence of your great reverence for this Holy See, the Mother of all the churches. It is with great joy that We hear of the increase of our religion in those regions and of the hope that many will be converted to the Faith. You are to be praised for desiring to erect an ecclesiastical seminary in each diocese of the Province of Cincinnati. You have written to Us that a Provincial seminary has already been erected in the city of Cincinnati, but you are aware that We have constituted a College in Rome for the American clergy and We greatly desire that ecclesiastical students attend it.

Concerning the acts of the Council, you shall in due time receive

an answer from the Propaganda, to which all such matters are referred. Cease not to implore God that He would strengthen Us in these most trying times, and be assured that We always pray God to grant you His grace.

*Venerabilibus fratribus Ioanni-Baptistae, Archiepiscopo Cincinnatensi et eius suffraganeis,*¹

PIUS PP. IX.

Venerabiles fratres, salutem et apostolicam benedictionem.

Singulare quidem gaudium nobis attulerunt obsequentissimae vestrae litterae, die IX. proximi mensis maii datae, quibus, venn. fratres, supremo nostro et huius Apostolicae Sedis iudicio acta secundi provincialis Cincinnatensis Concilii a vobis habiti demississime subiicere gloriati estis. Namque in eisdem litteris omni ex parte elucet eximia vestra erga nos et hanc Petri Cathedram pietas, fides, amor et observantia. Ac nobis gratissimum fuit noscere singulare studium catholicis Antistitibus plane dignum, omnique laude efferendum, quo, venerabiles fratres, istis fidelibus populis curae vestrae traditis inculcare non desistitis, ut nobis et eidem Petri Cathedrae firmiter adhaereant ac sedulo obediant, quae omnium ecclesiarum mater atque magistra illi innixa est petrae, quam superbae non vincunt inferorum portae, et ad quam propter potiolem principalitatem necesse est omnem convenire Ecclesiam, extra quam qui comederit agnum profanus est, et cui tota quanta est christianae reipublicae moles, divinitus est superinstructa. Summa certe laetitia ex iisdem litteris intelleximus, sanctissimam nostram religionem in istis regionibus divina adspirante gratia maiora in dies incrementa suscipere, ac spem affulgere fore, ut quamplurimi, discussa mentis caligine ac errorum tenebris depulsis, veritatis lucem adspiciant, atque ad catholicae Ecclesiae sinum complexumque redeant. Quocirca vobis addimus animos, venn. fratres, ut divino auxilio freti pergatis maiore usque alacritate ministerium vestrum implere, ac dilectarum ovium saluti quotidie magis consulere, easque ab veneatis pascuis arcere, ad salutaria propellere, et nullis neque curis, neque consiliis, neque laboribus unquam parcere, ut omnes Christo lucrifacere possitis. Meritis vero laudibus prosequimur consilium a vobis initum, erigendi scilicet in singulis dioecesibus clericorum seminarium ex Concilii Tridentini mente, ut ibi adolescentes clerici ad pietatem, religionem et ecclesiasticum spiritum mature fingantur, ac humanioribus litteris severioribusque disciplinis, praesertim sacris, studiosissime imbuantur. Significastis autem, in Cincinnatensi civitate provinciale seminarium iam fuisse excitatum ad accuratiorem solidioremque eorundem clericorum

¹ The suffragan bishops were the same as those who attended the First Provincial Council of 1855 (see *supra*), with the addition of J. H. Luers, Bishop of Fort Wayne.

tum in religione, tum in scientiis, institutionem procurandam.² Sed probe scitis, venn. fratres, nos de spirituali istarum regionum bono summopere sollicitos iam constituisse in hac alma Urbe nostra aedes pro collegio Americanis clericis destinato, ac vehementer optare, ut iuvenes clerici a vobis delecti in ipsum collegium mittantur, quo ex Romanae Ecclesiae omnium matris et magistrae more institutisque ad ecclesiasticum spiritum formentur, ac bonas artes disciplinasque, praecipue sacras, discant, incorruptamque doctrinam ex ipso fonte hauriant, et in patriam deinde redeuntibus vobis vestrisque dioecesium usui et ornameto esse possint.

Nunc vero quod attinet ad Concilium a vobis concelebratum, ex animo gratulamur, quod in unum convenistis, ut pro pastoralis vestra sollicitudine ea statueretis, quae ad rem catholicam, sacram disciplinam, morumque honestatem istis magis magisque tuendam fovendamque conducere existimastis. Nostra autem Congregatio Fidei Propagandae praeposita, cui ex more ipsius Concilii acta examinanda commissimus, congruum suo tempore de actis ipsis responsum vobis dabit, postquam omnia ad nos accurate retulerit. Ne intermittatis Deum Optimum Maximum orare et obsecrare, ut infirmitatem nostram gravissimo summi pontificatus onere, hisce potissimum difficillimis temporibus, laborantem omnipotenti sua virtute adjuvet, roboret atque confirmet, omnesque actus nostros ad maiorem Ecclesiae suae sanctae utilitatem prosperitatemque dirigat. Persuasissimum autem vobis sit, nos et praecipua vos benevolentia prosequi, et haud omittere fervidas ipsi elementissimo miserieordiarum Patri adhibere preces, ut uberrima quaeque suae bonitatis dona super vos propitius semper effundat, quae in fideles quoque vestrae vigilantiae concreditos copiose descendant. Atque horum auspicum et studiosissimae nostrae in vos voluntatis testem apostolicam benedictionem ex intimo corde profectam vobis ipsis, venn. fratres, et universis istarum ecclesiarum clericis laicisque fidelibus peramanter impertimur.³

Datum Romae, apud S. Petrum sub annulo Piscatoris, die xiv. iunii MDCCCLVIII., pontificatus nostri anno xii.

Sources: De Martinis, VI (1), 288-289; *Coll. Lac.*, 211-212.

² Purcell found difficulty in maintaining his theological Seminary and in 1855 offered it as a Provincial Seminary to the suffragan bishops. Lamott, *History of Archdiocese of Cincinnati*, 292.

³ The *Acta et Decreta* of the Council will be found in *Coll. Lac.*, III, 203-214. The *Pastoral Letter* is printed, *ibid.*, 1209 f.

No. 120.

PIUS IX

SEPTEMBER 27, 1860

The Church in the West was steadily increasing,¹ due mainly to the "Gold Rush" which began in 1849 and continued through the next decade. It was becoming more and more difficult to care properly for the faithful in the northern part of the extensive Archdiocese of San Francisco, and the Holy See was petitioned to erect this northern portion of the Archdiocese into a separate vicariate-apostolic. This was done by the creation of the Vicariate-Apostolic of Marysville.

Summary: The salvation of souls would better be served if a new vicariate-apostolic were formed from the extensive Diocese of San Francisco. Therefore, having sought the counsel of the Sacred Congregation, We, hereby, detach from the aforesaid Diocese of San Francisco the territory from the Diocese of Oregon to the Pacific and from the 39th degree North latitude to the Colorado River and erect the same into a separate Vicariate-Apostolic. The bishop shall reside in the city of Marysville.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Apostolici nostri muneris officium postulat ut ad christiani gregis partem longo terrarum marisque tractu disiunctam curas nostras intendamus, idque praestemus quod illius incolumitati tuendae opportunum videatur. Cum igitur ad animarum salutem plurimum pertinere noverimus, ut ex ampla dioecesi S. Francisci in California pars aliqua seiungatur, eaque in peculiarem vicariatum apostolicum erigatur, nos de consilio VV. FF. NN. S. R. E. Cardinalium Propagandae Fidei praepositorum ad huiusmodi divisionem et novi vicariatus erectionem deveniendum censuimus.

§ 2. Itaque motu proprio ac matura deliberatione nostra illam territorii partem, quae in California circumscribitur ad septentrionem 42° gradu latitudinis septentrionalis seu dioecesi Oregonopolitana, ad occidentem mari pacifico, ad meridiem 39° gradu latitudinis septentrionalis, ad orientem denique flumine quod appellatur Colorado, a dioecesi S.

¹The state of California increased in population from 92,000 in 1850 to 380,000 in 1860. Shaughnessy, *op. cit.*, 139.

Francisci seiungimus ac dismembramus, eamque territorii partem in peculiarem Vicariatum Apostolicum erigimus et instituimus, per Antistitem gubernandum quem nos et successores nostri Romani Pontifices ad huiusmodi officium eligendum censuerint, cuius residentiam nos volumus esse in civitate Maryswilliensis.²

§ 3. Haec praecipimus et mandamus, non obstantibus nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, nec non fel. rec. Benedicti XIV. praedecessoris nostri super divisionem materiarum, aliisque apostolicis ac in universalibus provincialibusque et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, caeterisque speciali quamvis et individua mentione dignis in contrarium facientibus quibuscumque.³

Datum Romae apud S. Petrum, sub annulo Piscatoris, die xxvii. sept. MDCCCLX., pontificatus nostri anno xv.

Source: De Martinis, VI (1), 319-320.

No. 121.

PIUS IX TO JOHN HUGHES

AUGUST 8, 1861

The Third Provincial Council of New York convened on June 1, and closed on June 9, 1861. The following Brief of Pius IX is in answer to the letter sent to the Holy See together with the *Acta* of the Council.

Summary: Your letter of May 29 gave evidence of the especial devotion which you and your suffragans have towards this Holy See in subjecting the acts of the Provincial Council to Us. You shall receive an answer from the Propaganda concerning the acts

² The first Vicar-Apostolic of Marysville was Eugene O'Connell. He was born in County Meath, Ireland, on June 18, 1815, was ordained to the priesthood in June, 1842, and came to California in 1851. He was consecrated titular Bishop of Flaviopolis and Vicar-Apostolic of Marysville on February 3, 1866. In 1868, he became the first Bishop of the Diocese of Grass Valley. He resigned his See in 1884, was made titular Bishop of Joppa and died on December 4, 1891. O'Donnell, *Catholic Hierarchy*, 130.

³ The vicariate was raised to the dignity of a diocese on March 3, 1868, with the episcopal See at Grass Valley. The diocesan See was changed to Sacramento on May 16, 1886. Cf. *infra*, Document 130.

in due time. From your letter We gather how filled with sorrow you are at the impious war being waged against the Church and this Holy See. We are aware of the many prayers which you and your suffragans have offered to God for Us, and of the new increase of our holy Faith in America; these things have been a solace to Us in Our sorrows. We cannot refrain from deploring the terrible civil war waging amongst you, nor do We cease imploring God to grant you peace. We do not doubt that you and your brethren are doing all that lies in you to further the Faith during this widespread persecution against the Church; for there are men who would, if possible, extinguish the light of Catholic truth and infect the minds of all with their poisonous doctrines. Be assured of Our especial love for you and your brethren.

Venerabili fratri Ioanni, Archiepiscopo Neo-Eboracensi,

PIUS PP. IX.

Venerabilis frater, salutem et apostolicam benedictionem.

Nuper tuas accepimus litteras iv. idus proximi mensis iunii datas, atque intimo singularis tuæ et istorum venn. fratrum tuorum Coëpiscoporum erga nos et hanc Petri cathedram fidei, amoris et observantiae sensu exaratas, quibus acta Concilii Provincialis a te eisdemque venerabilibus fratribus recens concelebrati supremo nostro et huius Sanctæ Sedis iudicio ipsorum quoque venerabilium fratrum nomine subiicere properasti. Quæ quidem acta¹ nostræ Congregationi Fidei Propagandæ præpositæ ex more examinanda commisimus, ut postquam omnia accurate ad nos detulerit, congruum suo tempore det responsum. Ex eisdem autem tuis litteris novimus quam acerbus sit tuus et eorumdem venn. fratrum dolor ob teterrimum sane bellum² quod Dei hominumque hostes, ambulantes in impietatibus, catholicæ Ecclesiæ, huic Apostolicæ Sedi nobisque inferunt. Intelleximus etiam quo ardenti studio a te eisdemque venn. fratribus ferventissime Deo Opt. Max. pro Ecclesiæ suæ sanctæ triumpho ac pro infirmitate nostra adhibeantur preces, et quo modo istic, divina adspirante gratia, catholicorum numerus fuerit auctus, et plures sacrae aedes a fundamentis exstructæ et gynæcea ac collegia instituta, et catholicæ scholæ in diversis

¹ The *Acta et Decreta* of the Council are printed in *Coll. Lac.*, III, 291-302; the *Pastoral Letter* is given *ibid.*, 1177 f. The Second Provincial Council of New York (January 19, 1860) issued only a *Pastoral Letter*, which is printed *ibid.*, 271-290.

² The Civil War began on April 12, 1861. The Pontiff refers in the next few lines to the Nativist activities in the United States at the time.

paroeiis apertae. Quae sane omnia non levi certe solatio nobis fuerunt inter maximas, quibus undique premimur, angustias et acerbitates.³ Non possumus autem non vehementissime dolere, ven. frater, exitiale civile bellum, quod istic exarsit, neque omittimus divitem in misericordia Deum exorare, ut tantum malum avertat, et pacem tranquill-

³ The Decree of the Sacred Congregation confirming the *Acta* of the Council together with a letter from Propaganda follow:

DECRETUM.

Sacrae Congregationis de Propaganda Fide.

Mense iunii anni MDCCCLXI., in civitate Neo-Eboracensi habita est Synodus Provincialis praesidente R. P. D. Ioanne Hughes, illius Provinciae Metropolitano. Cum vero Acta et Decreta praedictae Synodi ad S. Congregationem de Propaganda Fide transmissa fuerint, ut eorum examine instituto, iisdem Apostolica approbatio tribueretur; Emi ac Rmi Patres praelaudatae S. Congregationis generalibus comitiis diei XIX. augusti MDCCCLXI., omnibus mature perpensis, optatam adprobationem impertientiam esse censuerunt, ita tamen ut pauca emendentur ad tramitem epistolae, quae praesenti Decreto inseritur. Hanc vero sacrae Congregationis sententiam cum R. P. D. Hannibal Capalti eiusdem Secretarius retulisset SSmo Domino Nostro Pio PP. IX. in audientia diei XXV. augusti MDCCCLXI., SSmus eam in omnibus adprobavit, ac praesens in rem Decretum expediri mandavit.

Datum Romae ex aedibus S. Congregationis de Propaganda Fide, die XIV. novembris MDCCCLXI.

Al. Card. Barnabò, Praef.

Hannibal Capalti, a Secretis.

LITTERAE

*ad Reverendissimum D. Ioannem Hughes,
Archiepiscopum Neo-Eboracensem.*

Illme ac Rme Domine,

In generalibus comitiis, habitis die XIX. augusti MDCCCLXI., Emi et Rmi Patres sacri consilii christiano nomini propaganda examen instituerunt Concilii Provincialis Neo-Eboracensis, quod illa in civitate ac sub tui praesidentia celebratum fuit mense iunii currentis anni. Porro S. Congregatio praedicti Concilii Acta ac Decreta digna esse iudicavit quae apostolica adprobatione firmarentur, dummodo tamen pauca in iis emendentur ad normam instructionum, quae praesentibus literis continentur.

Ac primo quidem Synodus ipsa quae in titulo inscribitur *secunda*, verius *tertia* nuncupabitur. 2. In Decreto V. supprimantur initio verba *inter catholicos*; sub finem vero, loco verborum *is ipso facto excommunicationem incurrat*; haec alia apponantur: *is sciat se ipso facto excommunicationem incurrere, a qua, in vim praesentis Decreti, nonnisi per Episcopum, etc.* 3. In prooemio Decreti VII. post verba *visum est Patribus* ita dicatur:

tatemque istis regionibus propitius restituat. Nihil vero dubitamus, quin pro eximia tua et eorumdem venn. fratrum religione et zelo, in hac tanta contra catholicam Ecclesiam persecutione, omnis a te et ipsis venn. fratribus maiore usque studio impendatur opera in eiusdem Ecclesiae causa strenue propugnanda, in animarum salute quotidie magis procuranda, atque in impiis nefariisque inimicorum hominum conatibus reprimendis, qui pravis quibusque molitionibus omnem, si fieri unquam posset, catholicae veritatis lucem extinguere, omniumque animos mentesque pestiferis omnis generis erroribus inficere, pervertere, et iura quaeque divina et humana delere, et tum christianae tum civilis reipublicae fundamenta penitus evertere conitantur.

Denique tibi persuade, praecipuam esse nostram erga te et ipsos venerabiles fratres benevolentiam, ac nos a clementissimo misericordiarum Patre humiliter exposcere, ut uberrima quaeque suae bonitatis dona super te eosdemque venn. fratres propitius semper effundat, quae in dilectas quoque oves tuae et illorum fidei traditas copiose descendant; atque horum auspicem et propensissimae nostrae in te eosdemque venn. fratres voluntatis pignus, apostolicam benedictionem toto cordis affectu tibi ipsi et eisdem venerabilibus fratribus, cunctisque clericis laicisque fidelibus tuae et illorum vigilantiae commissis, peramanter impertimur.

Datum Romae apud S. Petrum, sub annulo Piscat., die VIII. augusti MDCCCLXI., pontificatus nostri anno XVI.

Sources: De Martinis, VI (1), 334-335; *Coll. Lac.*, III, 300-301.

praescriptionibus ac declarationibus inhaerendo ab Apostolica Sede saepius editis, praesertim vero a Summis Pontificibus Pio VII. et Leone XII. in suis literis "Non sine magno" die 3 april. 1823, et "Quo longius" die 16 aug. 1828, regulas quasdam mature compingere, quae etc. 4. In praedicto Decreto VII. dispositio sub num. 2 ita concipiatur: Probe intelligant aeditui, nefas sibi omnino esse vel minimam bonorum Ecclesiae partem in suos usus quovis titulo vel praetextu traducere, nec in extraneos, nisi de venia Episcopi, ac servatis constitutionibus apostolicis de rerum ecclesiasticarum alienatione.

Quod vero attinet ad supplicem libellum datum nomine Episcoporum ad SS. D. N. Papam, atque una cum actis et decretis Concilii ad S. C. transmissum, is relatus fuit Sanctitati Suae, atque ex rescripto quod hisce literis adiectum reperies, deprehendere poteris quo pacto relatae petitioni Beatissimus Pater annuendum censuerit. Rogo Deum ut te diu servet et sospitet.

Datum Romae ex aedibus S. Congregationis de Propaganda Fide, die XIV. novembris MDCCCLXI.

Ad officia paratissimus,

Al. Card. Barnabò, Praef.

Hannibal Capalti, Secretarius.

De Martinis, VI (1), 300, note.

No. 122.

PROPAGANDA TO ARCHBISHOP PURCELL

FEBRUARY 15, 1862

The record of Catholic chaplains during the Civil War is one of a small but heroic group of priests. The fact that their number was so small was due to the inadequate number of priests throughout the country.¹ But though the chaplains in the War were few, the Church did all in her power to help them in their ministrations. The following letter from the Sacred Congregation gave to all chaplains in the North and South far-reaching faculties that were to last until the War was ended.

Summary: The Holy See has decreed the following regulations for Army chaplains of both the North and South: 1. Army chaplains will receive the special faculties granted by the Holy See in the matter of Confession, from the Ordinary in whose diocese they are stopping. 2. If the chaplains enter another diocese they enjoy the same faculties, and, if they cannot approach the Ordinary, they have this privilege for two months. 3. During these two months, they should seek approbation from the Ordinary. 4. The Ordinary should prolong the faculties. 5. If the chaplains cannot approach the Ordinary within two months, they can continue their ministry until they are able to do so. 6. These decrees, which shall hold for the northern and southern armies, will become null when the war ceases.

You should send a copy of this letter and the enclosed circular to the bishops of your province.

Illme. ac Rme. Dne.

Apostolica Sedes vehementer commota ob bellum quod in foederatis Americae Statibus excitatum pervere non desinit, sollicitudinem suam militibus aliisque qui in comitatu militari sive exercitus septentrionalis sive exercitus meridionalis prospicere voluit, ne iidem quaecunque ob causam sacramentorum participatione privetur eo praesertim tempore quo graviter urget necessitas. Quapropter ea statuit quae et huic fini assequendo maxime accomodata, et Episcoporum Americae votis plene consona esse non dubito.

¹ In 1860, there was one priest to every 1,390 Catholics. Shaughnessy, *op. cit.*, 262.

Itaque 1. Cappellani exercitus qui certe probitate et pietate debent praestare ab Ordinario loci in quo commorantur ad militum Confessiones excipiendas intra fines suae diocesis approbati, ab eodem Ordinario facultates a Ssmo. Domino Nostro concessas quae in adjectis continentur, obtinebunt, ut iis possint subvenire qui sincere detestatione peccatorum excitati, apud eos sacramentalem confessionem velint peragere. 2. Iidem Cappellani alterius Ordinarii diocesim ingressi et vel in itinere exercitum sequentes, vel in statione exercitus morantes, ex Apostolico indulto poterunt sacrum Ministerium peragere iisdem instructi facultatibus usque ad duos menses, nisi antea possint facile ad loci ubi commorantur Ordinarium accedere. 3. Hoc autem duorum mensium spatio debent loci Ordinario se sistere, ut eo probante possint sacramentales Confessiones excipere, et iisdem facultatibus ab Apostolica Sede concessis uti. 4. Ordinariis autem loci ultro permittet Capellanos praedictos in suo Ministerio posse perseverare iisdem prorogando omnes et singulas facultates juxta formulam adjectam no. 11, (f. 2) nisi indignos omnino judicaverit; quo in casu spirituali militum bono consulat per alios quos eisdem Apostolicis facultatibus instruet. 5. Quod si neque duorum mensium spatium satis erit, ut Cappellani ad Ordinarium possint accedere, poterunt Cappellani in sui Ministerii partibus peragendis prosegui usque dum impossibilitas adeundi Ordinarium remaneat. 6. Quae ad praesentem rerum cinditionem in Statibus Americae foederatis ex apostolica auctoritate servanda erunt in spirituali bonum militum exercitus sive septentrionalis sive meridionalis nullum amplius effectum habebunt, cum belli calamitas cessaverit.

Commendo Tibi ut exemplar hujus epistolae nec non adjecti folii tuae provinciae Episcopis communicare quantocius non praetermittas. Romae, ex sedibus S. Congnis. de Propaganda Fide, die 15 Februarii, 1862.

Source: *Mount St. Joseph Archives*, Cincinnati, Ohio, in *CHR*, I, 200, where an English translation of the letter is likewise given.

No. 123.

PIUS IX TO JOHN HUGHES

OCTOBER 18, 1862

Pius IX was greatly disturbed at the Civil War, and, in his solicitude for the faithful in the United States wrote to the Archbishops of New York and New Orleans to do all in their power to bring about peace.

Summary: We are filled with deep sorrow at the sight of the ruin, devastation, and innumerable calamities into which the Chris-

tian people of the United States have been thrown by civil war and We have prayed God from our heart to grant them peace. Being, on earth, the Vicar of the Prince of Peace, We cannot refrain from repeatedly urging on rulers and their subjects the principles of mutual peace and charity. Wherefore, We write this letter to you that you might arouse your clergy and people to fervent prayers, and, at the same time, that you would do all in your power to bring the war to any end. Let no occasion pass to reconcile the warring parties and remind the people and their rulers that there is nothing so harmful to a nation as civil war. Admonish the people and their rulers, in Our name, that they should be reconciled. We are confident that they will more willingly hear our voice since they know that We have been moved by no political motives to exhort them to peace. Strive to show them that, even in this life, true prosperity cannot be had apart from the divine religion of Christ and His teachings. We are confident that, with the help of your fellow-bishops, you will be able to satisfy Our desires. We have sent a similar letter this very day to the Archbishop of New Orleans that you may bend your endeavours to the same end. May God grant that this our most ardent desire be fulfilled and that soon peace be restored.

PIUS PP. IX.

*Joanni Archiepiscopo Neo-Eboracensi Venerabilis Frater
Salutem et Apostolicam Benedictionem*

Gravissimas inter ac multiplices, quibus in hac tanta temporum jactatione et asperitate premimur, angustias, vehementer quoque dolemus luctuosissimum sane statum, in quo christiani istarum foederatarum Americae Regionum populi versantur ob exitiale civile bellum inter ipsos exortum. Non possumus enim non summo moerore confici, Venerabilis Frater, dum paterno animo Nobiscum reputamus caedes, ruinas, excidia, vastationes, aliasque innumeras, et nunquam satis lugendas calamitates, quibus populi ipsi miserandum in modum divexantur, ac dilacerantur. Hinc haud omisimus in humilitate cordis Nostri ferventissimas Deo offerre preces, ut populos ipsos a tot tantisque malis eripiat. Ac persuassimum Nobis est, Te quoque, Venerabilis Frater, sine intermissione miserationum Dominum orare et obsecrare, ut veram pacem, prosperitatemque istis regionibus concedat. Cum autem Nos pro Apostolice Nostri ministerii officio omnes christiani orbis populos summo caritatis affectu prosequamur, ac licet immerentes Illius vicariam hic in terris geramus operam, qui auctor est pacis, et amator caritatis,

Nobis temperare non possumus, quin supremis istorum populorum Moderatoribus, et ipsis populis mutuam pacem, caritatemque etiam atque etiam inculcemus. Quamobrem has Tibi scribimus Litteras, quibus Te, Venerabilis Frater, maxima animi Nostri contentione excitamus, ut pro eximia tua pietate, et episcopali zelo Tuum Clerum, populumque fidelem ad effundendas preces excites, ac simul tuum omne studium et operam penes ipsos supremos Moderatores et populos conferas, ut istic quamprimum desiderata pax et tranquillitas restituatur, qua tum christianae, tum civilis reipublicae felicitas maxime continetur. Itaque quantum consilio, auctoritate et labore eniti et efficere potes, nihil praetermitte, quoad tua in id studia cum sacri ministerii natura conciliari possint, ut dissidentium animos lenire, pacare, componere, atque ad optatam concordiam et pacem reducere queas, iis modis omnibus, qui ad verum populorum bonum assequendum magis conducere possunt. Omnem praeterea curam adhibe, ut iidem Moderatores et populi serio animadvertant quibus gravissimis ipsi affligantur damnis, quae ex civili bello redundant, quo nihil certe funestius, nihil tristius, nihil luctuosius populis et nationibus contingere potest. Neque omittas supremos ipsos Moderatores ac populos, Nostro etiam nomine, monere, hortari, ut, conciliatis animis, pacem amplectantur, et continua se caritate diligant. Futurum enim confidimus, ut iidem paternis Nostris monitis et vocibus eo libentius obsequantur, quod per se ipsi clare aperteque intelligunt, Nos nulla prorsus politicarum rerum ratione, nullaque terrenarum rerum utilitate adductos, sed paterna tantum caritate impulsos ad pacem, tranquillitatemque illos exhortari. Ac pro egregia tua sapientia omnibus persuadere stude, veram prosperitatem in hac etiam vita non aliunde esse quaerendam, quam a divina Christi religione, ejusque salutari doctrina. Nihil dubitamus, Venerabilis Frater, quin, adhibita etiam Venerabilium Fratrum tuorum Coepiscoporum opera et auxilio, hisce Nostris desideriis cumulatissime satisfacere velis, et omnia provide sapienterque coneris, ut tanti momenti negotium ad optatum exitum perducat. Scias autem velimus, haec eadem hoc ipso die ad Venerabilem Fratrem Joannem Mariam Archiepiscopum Novae Aureliae Nos scribere, ut, collatis Tecum consiliis, conjunctisque studiis, in eundem finem suas omnes curas et cogitationes impensissime intendat. Faxit dives in misericordia Deus, ut haec ardentissima Nostra desideria expleantur, et quamprimum de pace populis istis restituta exultare possit cor Nostrum in Domino. Denique gratissimum Nobis est, hac etiam uti occasione, ut iterum testemur et confirmemus praecipuam Nostram in Te benevolentiam. Cujus quoque certissimum pignus accipe Apostolicam Benedictionem, quam ex intimo corde profectam Tibi ipsi, Venerabilis Frater, et gregi tuae curae commisso peramanter impertimus.

Datum Romae apud Sanctum Petrum die 18. Octobris Anno 1862. Pontif. Nostri anno decimo-septimo.

Source: *Pii IX Acta*, III, 530-532. Translated in *Records*, XIV, 264-266.

No. 124.

PIUS IX TO ARCHBISHOP SPALDING

FEBRUARY 16, 1866

The Civil War came to an end in April 1865. The costly price of union had not allayed the bitterness over the principles at stake. The different religious sects were still in disorder and confusion, while the people, "bowed beneath the double weight of the memory of the past, which could no more return, and of the thought of the future which seemed hopeless . . . were ready to applaud any power that had been able to live through that frightful struggle unhurt and unharmed".¹ One year after the close of the War, the Church "walked forth before the eyes of the nation, clothed in the panoply of undiminished strength and of unbroken unity", and loyal bishops of the South mingled with loyal bishops of the North in one of the largest Church councils outside of Rome, since the Council of Trent.² Pius IX appointed Archbishop Spalding as Apostolic Delegate to the Council by the following papal Brief.

Summary: We have received the petition of the American bishops, that We permit them to hold a Plenary Council. Having referred the matter to Propaganda, We have decided to appoint you Apostolic Delegate to convoke and preside over the Council, and We grant you all the faculties necessary. We command all the bishops of the United States to receive you as the president and director of the Council, and to obey and support you.

PIUS PP. IX.

Venerabilis frater, salutem et apostolicam benedictionem.

Apostolici ministerii munus humilitati nostrae divinitus commendatum efflagitat, ut Ecclesiae universae sedulam geramus curam, atque ea imprimis praestemus, quae in regionibus ab hoc catholicae fidei centro longo terrae marisque tractu seiunctis christiano nomini benevertant. Cum itaque admotae nobis sint preces, ut omnibus vv. ff. Foederatorum Statuum Americae Septentrionalis Episcopis, impetrata a nobis venia, liceat plenum concilium habere, in quo ea conlatis consiliis proponantur,

¹ Spalding, J. L., *Life of the Most Rev. M. J. Spalding, D. D., Archbishop of Baltimore* (New York, 1878), 305.

² *Ibid.* Cf. Murphy, R. J., "The Catholic Church in the United States during the Civil War Period", in *Records*, XXXIX (1928), 271-346.

quae ad disciplinae uniformitatem inducendam, dioecesium statum ordinandum, Fidei denique incrementum obtinendum opportuna fore videantur; nos tam salubre ac frugiferum studium commendantes, votis huiusmodi obsecundare volumus. Quamobrem cum vv. ff. S. R. E. Cardinalibus negotiis Fidei Propagandae praepositis sedulo re perpensa, in eam sententiam venimus, ut tibi, venerabilis frater, cuius pietas, doctrina et summa erga Sedem Apostolicam observantia apprime nobis comperta est, concilium istud convocandi, eique praesidendi officium delegaremus. Quae cum ita sint, te a quibusvis excommunicationis et interdicti, aliisque ecclesiasticis sententiis, censuris et poenis, quovis modo vel quavis de causa latis, si quas forte incurreris, huius tantum rei gratia absolventes, et absolutum fore censentes, tibi, venerabilis frater, hisce litteris, de eorundem S. R. E. Cardinalium consilio, eas partes auctoritate nostra apostolica committimus, ut plenarium cogas omnium Antistitum Foederatorum Americae Septentrionalis Statuum Concilium, in quo praesis; atque ideirco tibi omnes et singulas facultates necessarias et opportunas concedimus, tribuimus atque impertimus. Mandamus propterea omnes et singulos venerabiles fratres Foederatorum eorundem Statuum Episcopos, ut te, quem ad Concilium istud convocandum deputavimus, in eiusdem praesidem et moderatorem excipiant, admittant tibiue pareant, faveant, praesto sint; tibiue iubemus, ut acta atque decreta Concilii eiusdem ad sanctam hanc Apostolicam Sedem, pro eorum revisione et recognitione, quamprimum cures transmittenda. Non obstantibus apostolicis ac in universalibus provincialibusque et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, neenon, etiam iuramento, confirmatione apostolica, vel quavis firmitate alia roboratis, statutis et consuetudinibus, caeterisque contrariis quibuscumque.

Datum Romae apud S. Petrum, sub annulo Piscatoris, die xvi. feb. MDCCCLXVI., pontificatus nostri anno vigesimo.

Source: De Martinis, VI (1), 436.

No. 125.

PIUS IX TO THE ARCHBISHOPS AND BISHOPS OF THE UNITED STATES

SEPTEMBER 2, 1867

The Second Plenary Council of Baltimore convened on October 7, and closed on October 21, 1866. It was the most important religious assembly ever witnessed in the United States up to that time. During the space of two weeks, the seven archbishops and thirty-

eight bishops of the United States elaborated a code of laws that assured for the Church in America uniformity of discipline, united the different dioceses into a more compact group, and provided for the growing Catholic population of the nation. The Supreme Pontiff, Pius IX, wrote to the American hierarchy praising them for their zeal and devotion towards the Holy See.

Summary: We can barely express the joy with which We received your letter of October 21, 1866, written at the Second Plenary Council. Hardly have you emerged from the Civil War, than your zeal desires to convene in Council to take measures for the spread of the Faith. In this same Council you have taken pains to express your especial devotion towards this Holy See. And, although you are distressed at the fearful tempest which at present threatens the Church, nevertheless, you congratulate Us for all those things which, with the grace of God, We have done for the cause of the Church. Rather praise God than Us. You can easily understand Our joy at the devotion of the faithful in the United States for Us, and at the increase among them of priests, churches, colleges, orphanages, and schools. All of which manifests your great zeal. Wherefore, We are confident that, with God's grace, you will spare no pains to have your clergy give that example to their people which will make religion flourish among them and draw many to the fold of Christ. Do not lose heart amid difficulties, but be consoled in the Lord. Concerning the acts of the Council, which you have submitted to Us for Our approbation, the Sacred Congregation will in due time make known to you Our mind. We thank you for the pecuniary gifts which you and your people have sent Us, and We take this occasion to attest Our deep love for you.

Venerabilibus Fratribus: Martino, Archiepiscopo Baltimorensi, Francisco, Archiep. Oregonensi, Petro, Archiep. S. Ludovici, Joanni Baptistæ, Archiep. Cincinnatiensi, Josepho, Archiep. S. Francisci, Joanni Mariæ, Archiep. Neo-Aurelianensi, Joanni, Archiepiscopo Neo-Eboracensi, et Episcopis eorum Suffraganeis:

PIUS PP. IX.

Venerabiles Fratres, Salutem et Apostolicam Benedictionem!

Verbis exprimere vix possumus, Venerabiles Fratres, summam con-

solutionem, quâ, inter maximas Nostras molestias et acerbitates, affecti fuimus vestris gratissimis sane Litteris, die 21. mensis Octobris superiore anno datis,¹ dum, Deo adjuvante, in Plenario Baltimorensi Concilio concelebrando congregati eratis. In eisdem enim Litteris, undique mirifice elucet eximia vestra religio, pietas, ac pastoralis sollicitudo. Etenim, Venerabiles Fratres, vix dum e mediis procellis, ac luctuosissimi civilis belli fluctibus emersi, nihil antiquius habuistis, quam in Baltimorensi civitatem convenire, ut mutuam inter Vos caritatem magis in dies foventes, collatis consiliis, et concordissimis animis, ea statuere, quæ ad Dei gloriam in vestris potissimum Diœcesibus quotidie magis amplificandam, ad augustam nostram Religionem promovendam, Clerique disciplinam tuendam, et ad sempiternam hominum salutem procurandam, atque ad tot nefariis inimicorum hominum insidias detegendas, pestiferosque errores profligandos, asperrimis hisce potissimum Christianæ, civilisque reipublicæ temporibus, possint conducere.

Atque in eodem habendo Concilio, nihil Vobis potius fuit, quam luculentissimis verbis declarare et profiteri singularem vestram pietatem, amorem, et observantiam erga Nos, et hanc Romanam Beatissimi Petri Apostolorum Principis Cathedram, Catholicæ Veritatis, et unitatis centrum, omniumque Ecclesiarum matrem et magistram, in qua Christus Dominus inexpugnabile Ecclesiæ suæ fundamentum posuit, et adversus quam inferi port prævalere nunquam poterunt. Eisdem autem Litteris, Venerabiles Fratres, dum deploratis horribilem sane tempestatem, quâ nunc ubique jaectatur Ecclesia, Nobis etiam atque etiam vehementer gratulamini de iis omnibus, quæ ad ejusdem Ecclesiæ causam, ejusque doctrinam, libertatem, ac jura propugnanda, ad omnium fidelium salutem curandam, atque ad tot perniciosissimos hujus præsertim infelicissimæ nostræ ætatis errores eliminandos, Deo adjuvante, studiosissime peragere nunquam intermisimus veluti gravissimum Supremi nostri Apostolici ministerii officium omnino postulabat. Non Nobis, Venerabiles Fratres, non Nobis, sed soli Deo omnem laudem date, qui infirmitatem Nostram Omnipotenti sua virtute ac divina sua gratia adjuvare dignatur; et Eo auxiliante, nunquam tacebimus propter Sion, et nunquam desistemus sanare contritiones Israel, parati asperima quæque perpeti, et animam ipsam ponere pro Deo, ejusque Sanctæ Ecclesiæ causa, Nobis ab ipso Christo Domino divinitus commissâ.

Jam vero per Vos ipsi vel facile intelligere potestis, quanto gaudio cumulati fuerimus, noscentes istarum regionum fideles summa Nos, et hanc Sanctam Sedem devotione prosequi, et in Ecclesiasticis istis septem Provinciis Episcopales Sedes auctas fuisse, Sacerdotum numerum mire amplificatum, et ubique locorum sacra Tempia ædificata, Collegia, Orphanotrophia, Pias Refugii Domos, Scholasque pueris, puellisque in Sanctissima nostra Religione educandis institutas. Quæ omnia luculenter ostendunt, quo Episcopali zelo animati estis, Venera-

¹ The letter to Pius IX is given in *CPB* II, liii-lvii.

biles Fratres, ad Dei cultum et honorem promovendum, et ad animarum salutem quotidie magis curandam. Quamobrem certi sumus, Vos cælesti auxilio fretos nihil unquam intentatum esse relicturos, ut in istis regionibus divina nostra Religio majora semper incrementa suscipiat, ut Ecclesiastici Vestri viri virtutum omnium exempla Christiano populo præbeant, ac proprii ministerii munia sancte, scienter, ac diligenter obeant, ut fideles Vobis commissi magis in dies nutriti verbis fidei, et per gratiarum charismata confirmati crescant in scientia Dei, et cognitione Domini Nostri Jesu Christi, et instant viam, quæ ducit ad vitam; ut miseri errantes, depulsis errorum tenebris, Catholicæ veritatis lucem adspiciant, agnoscant, amplectantur, et ad unicum Christi ovile confugiant. Atque inter angustias et difficultates, quæ hisce præcipue temporibus ab Episcopali ministerio abesse non possunt, nolite unquam animum despondere, sed confortati in Domino, et in potentia virtutis Ejus viriliter agite, memoria repetentes, quod qui ad justitiam erudiunt multos, fulgebunt quasi stellæ in perpetuas æternitates.

Quod autem attinet ad Acta memorati Concilii a Vobis concelebrati, quæ ex more majorum Supremo Nostro et hujus Apostolicæ Sedis judicio, pro eximia vestra erga Nos, et eandem Sedem observantia summis laudibus digna, subjicere gloriati estis, congruum de eisdem Actis a Nostra Congregatione Fidei Propagandæ præposita accipietis responsum. Vobis autem persuasissimum sit, Nos libenter præstituros quidquid ad majorem vestram, et istarum Diœcesium utilitatem pertinere posse noverimus. Nunc vero debitas Vobis, et istis fidelibus curæ vestræ traditis agimus, et habemus gratias, pro pecuniæ summis, quæ a Vobis, et ab eisdem fidelibus mittuntur ad gravissimas Nostras, et hujus Sanctæ Sedis sublevandas angustias. Denique, nihil Nobis gratius, quam ut hac etiam occasione utamur, quo iterum testemur et confirmemus potissimam, qua Vos in Domino complectimur, benevolentiam.

Cujus quoque certissimum pignus esse volumus Apostolicam Benedictionem, quam ex intimo corde profectam, et cum omnis veræ felicitatis voto conjunctam, Vobis ipsis, Venerabiles Fratres, cunctisque Clericis, Laicisque fidelibus ejusque vestrum vigilantiae conceditis, peramanter impertimus.

Datum Romæ, apud S. Petrum, die 2. Septembris, Anno 1867; Pontificatus Nostri Anno vicesimo, secundo.

Sources: *CPB* II, lviii-lx; De Martinis, VI (1), 466-468.

No. 126.

PIUS IX

MARCH 3, 1868

The Church had continued to grow steadily during the period between the First and Second Plenary Councils (1852-1866), and one of the chief problems which faced the American hierarchy assembled in Baltimore in 1866, was that of providing new dioceses throughout the country. Shea, in describing the progress of the Church in the preceding fourteen years (1852-1866), says: "The great belt of Catholic activity and life extended from the Potomac and the southern lines of Kentucky and Missouri, and westward from the Atlantic to the Rocky Mountains, extending northward to the British frontier. In this belt the progress was especially notable in New York, Pennsylvania, Ohio, Kentucky, Illinois, Wisconsin, Iowa, Minnesota, and the new territories. . . . In Texas the growth was great. New Mexico gained steadily in priests and churches. . . . On the Pacific coast there was growth, in California, especially in the Diocese of San Francisco, but in Oregon and Washington Territory the gain was slow".¹ Accordingly, the Fathers of the Second Plenary Council petitioned the Holy See to create new episcopal Sees in Rochester, Wilmington (Delaware), Harrisburg, Scranton, and Columbus in the East, La Crosse, Green Bay, and St. Joseph in the Mid-West, Marysville, and the Vicariates-Apostolic of Arizona, Idaho, Montana, and Colorado-Utah in the Far West, and the Vicariate-Apostolic of North Carolina in the South.

Summary: The Fathers of the Second Plenary Council of Baltimore have petitioned Us to erect a new episcopal See in the city of St. Joseph.

Therefore, on the advice of the Sacred Congregation, We, hereby, erect a new episcopal See in the city of St. Joseph, which shall embrace the territory of the State of Missouri from the Charleston River in the East, to the Missouri River in the South and West, and to the State of Iowa in the North.

¹ Shea IV, 715-716.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Summi apostolatus munus nostrae divinitus humilitati commissum flagitat, ut ea mature praestemus, quae catholicae rei, et aeternae animarum saluti benevertant. Quamobrem, si intellexerimus spirituali fidelium regimini et incolumitati expedire ut novae per catholicum orbem erigantur dioeceses, ad id animum intendimus; atque apostolica nostra auctoritate ea decernimus, quae novis episcopalibus sedibus statuendis opportuna maxime et salubria videantur.

§ 2. Cum itaque sacri Antistites Concilii Plenarii II. foederatorum statuum Americae Septentrionalis mense octobri anni MDCCCLXVI. Baltimore habiti, nobis exposuerint, catholicae religioni valde profuturum, si in urbe S. Iosephi nova episcopalis sedes erigeretur, nos cum vv. ff. nn. S. R. E. Cardinalibus negotiis Fidei Propagandae praepositis communicata re seduloque perpensa, ad propositam novae istius sedis foundationem deveniendum existimavimus.

§ 3. Quae cum ita sint, de memoratorum Cardinalium consilio, deque nostrae apostolicae auctoritatis plenitudine, hisce literis in urbe *Sancti Iosephi* novam episcopalem ecclesiam erigimus et constituimus, proprio Episcopo committendam, eiusque ecclesiae diocesim *Sancti Iosephi*² in posterum nuncupandam, eum tractum status *Missouri* sibi subiectum haberi volumus, qui ad orientem flumine *Carcton* [Charleston] intra fines dicti status, ad meridiem et occidentem flumine *Missouri*, ad septentrionem statu *Iowa* concluditur. Porro dictae *Sancti Iosephi* ecclesiae honores omnes, iura ac privilegia tribuimus et impertimur, quibus aliae episcopales sedes fruuntur et gaudent.

§ 4. Haec volumus, praecipimus, decernentes praesentes nostras literas firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis ad quos spectat, vel pro tempore quodcumque spectabit, plenissime suffragari; sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii apostolici auditores, iudicari et definiri debere, irritumque et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari. Non obstantibus, quatenus opus sit, nostras et Cancellariae Apostolicae regula de iure quaesito non tollendo, nec non Benedicti XIV. praedecessoris nostri rec. mem. super divisione materiarum, aliisque apostolicis ac in universalibus, provincialibus ac

² The first Bishop of St. Joseph was John J. Hogan. Born at Bruff, County Limerick, Ireland, on May 10, 1829, ordained to the priesthood on April 10, 1852, and consecrated bishop on September 13, 1868. He was transferred to the See of Kansas City in 1880 and died on February 21, 1913. Reuss, *Biographical Cyclopaedia*, 54. O'Donnell, *Catholic Hierarchy*, 42-43.

synodalibus conciliis editis generalibus vel specialibus constitutionibus vel ordinationibus caeterisque contrariis quibuscumque.

Datum Romae apud S. Petrum, sub annulo Piscat., die III. martii MDCCCLVIII., pontificatus nostri anno XXII.

Source: De Martinis, VI (2), 8-9.

No. 127.

PIUS IX

MARCH 3, 1868

Summary: The Fathers of the Second Plenary Council of Baltimore have petitioned Us to erect a new Vicariate-Apostolic in the territory of Colorado and Utah.

Wherefore, having sought the advice of the Sacred Congregation on the matter, We, hereby erect the entire tract of Colorado and Utah into a Vicariate-Apostolic.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Summi apostolatus munus nostrae divinitus humilitati commissum flagitat ut ea mature praestemus, quae catholicae rei et aeternae animarum saluti benevertant.

§ 2. Cum itaque sacri Antistites Concilii Plenarii II. Foederatorum Statuum Americae Septentrionalis, mense octobri an. MDCCCLXVI. Baltimore habiti, nobis exposuerint catholicae religioni valde profuturum, si in territorio Colorado et Utah novus apostolicus vicariatus erigeretur, qui integrum statum eiusdem nominis complectatur, nos cum vv. ff. nn. S. R. E. Cardinalibus negotiis Fidei Propagandae praepositis communicata re seduloque perpensa, ad propositam novi istius vicariatus foundationem deveniendum existimavimus.

§ 3. Quae cum ita sint, de memoratorum Cardinalium consilio, deque apostolicae nostrae potestatis plenitudine, hisce literis integrum terrae tractum Colorado et Utah in Vicariatum Apostolicum erigimus et constituimus, cui a Colorado et Utah nomen sit.¹

¹ Joseph Machebeuf, first Vicar-Apostolic of Colorado-Utah, was born at Puy de Dôme, France, on August 11, 1812, and was ordained to the priesthood on December 21, 1836. He was consecrated titular Bishop of Epiphania on August 16, 1868, and died in Denver on July 10, 1889. Howlett, W. J., *Life of Bishop Machebeuf* (Pueblo, Colorado, 1908).

§ 4. Haec volumus, praecipimus, decernentes praesentes nostras literas firmas, validas et efficaces esse et fore, suosque plenarios et integros effectus sortiri et obtinere, iisque ad quos spectant vel spectabunt hoc futurisque temporibus, plenissime suffragari; sicque per quoscumque iudices ordinarios et extraordinarios iudicari et definiri debere, irritumque et inane quidquid secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari. Non obstantibus, quatenus opus sit, nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, nec non Benedicti XIV. praedecessoris nostri rec. mem. super divisione materiarum, aliisque apostolicis, et in universalibus, provincialibus ac synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, caeterisque contrariis quibuscumque.²

Datum Romae apud S. Petrum, sub annulo Piscat., die III. martii MDCCCLXVIII., pontificatus nostri anno XXII.

Source: De Martinis, VI (2), 9.

No. 128.

PIUS IX

MARCH 3, 1868

Summary: The Fathers of the Second Plenary Council of Baltimore have petitioned Us to erect a new episcopal See in the city of Scranton.

In compliance with their request, We, hereby erect the city of Scranton into an episcopal See. The diocese shall embrace the Counties of Bradford, Lucerne, Wyoming, Monroe, Pike, Sullivan, Susquehanna, Tioga, Wayne and Lycoming.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Summi apostolatus munus nostrae divinitus humilitati commissum flagitat, ut ea mature praestemus, quae catholicae rei et aeternae animarum saluti benevertant. Quamobrem, si intellexerimus spirituali fidelium regimini et incolumitati expedire, ut novae per catholicum orbem erigantur dioeceses, ad id animum intendimus, atque apostolica nostra auctoritate ea decernimus, quae novis episcopalibus sedibus statuendis opportuna maxime et salubria videantur.

² The Vicariate-Apostolic of Utah, embracing the entire State of Utah and part of Colorado, was created on November 23, 1886. The Vicariate-Apostolic of Colorado became the Diocese of Denver on August 16, 1887.

§ 2. Cum itaque sacri Antistites Concilii Plenarii II. Foederatorum Statuum Americae Septentrionalis, mense octobri an. MDCCCLXVI. Baltimore habiti, nobis exposuerint catholicae religioni valde profuturum, si in urbe *Scranton* nova episcopalis sedes erigeretur; nos cum vv. ff. nn. S. R. E. Cardinalibus negotiis Fidei Propagandae praepositis communicata re seduloque perpensa, ad propositam novae istius sedis foundationem deveniendum existimavimus.

§ 3. Quae cum ita sint, de memoratorum Cardinalium consilio deque apostolicae nostrae auctoritatis plenitudine, hisce literis in urbe *Scranton* novam episcopalem ecclesiam erigimus et constituimus, proprio Episcopo committendam, eiusque ecclesiae dioecesim, *Scrantonensem* in posterum nuncupandam, comitatus qui infra scripti sunt, *Bradford* scilicet, *Luzerne*, *Lycoming*, *Monroe*, *Pike*, *Sullivan*, *Susquehanna*, *Tioga*, *Wayne* et *Wyoming*, in statu Pensilvanio positos, complecti volumus. Porro dictae *Scrantonensi* ecclesiae honores omnes, iura et privilegia tribuimus et impertimur, quibus aliae episcopales sedes fruuntur et gaudent.¹

§ 4. Haec volumus, praecipimus, decernentes praesentes nostras literas *etc. ut supra*.

Datum Romae apud S. Petrum, sub annulo Piscat., die III. martii MDCCCLXVIII., pontificatus nostri anno XXII.

Source: De Martinis, VI (2), 9-10.

No. 129.

PIUS IX

MARCH 3, 1868

Summary: The Fathers of the Second Plenary Council of Baltimore have petitioned Us to erect a new episcopal See in the city of Green Bay.

In compliance with their request, We, hereby, erect the above-mentioned city into an episcopal See.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Summi apostolatus munus nostrae divinitus humilitati commis-

¹ William O'Hara was appointed the first Bishop of Scranton. He was born in Dungiven, County Derry, Ireland, on April 14, 1816, came to the United States in 1820, was ordained to the priesthood on December 21, 1842, and was consecrated Bishop of Scranton on July 12, 1868. He died on February 3, 1899. Reuss, *Biographical Cyclopedia*, 83.

sum flagitat, ut ea mature praestemus, quae catholicae rei et aeternae animarum saluti benevertant. Quamobrem, si intellexerimus fidelium spirituali regimini et incolunitati expedire, ut novae per catholicum orbem erigantur dioeceses, ad id animum intendimus, quae novis episcopalibus sedibus statuendis opportuna maxime et salubria videantur. Cum itaque sacri Antistites Concilii Plenarii II. Foederatorum Statuum Americae Septentrionalis, mense octobri an. MDCCCLXVI. Baltimore habiti, nobis exposuerint Catholicae Religioni valde profuturum, si in urbe *Green Bay* nova episcopalis sedes erigeretur, nos cum vv. ff. nn. S. R. E. Cardinalibus negotiis Fidei Propagandae praepositis communicata re seduloque perpensa, ad propositam novae istius sedis foundationem deveniendum existimavimus.

§ 2. Quae cum ita sint, de memoratorum Cardinalium consilio deque nostrae apostolicae auctoritatis plenitudine, hisce literis in urbe *Green Bay* novam episcopalem sedem erigimus et statuimus, proprio Episcopo committendam, eiusque ecclesiae dioecesim, *Sinus Viridis* in posterum nuncupandam, ab occidente flumine *Wisconsin*, ab oriente lacu *Mechigan*, a septentrione ea parte status *Mechigan* quae inter fontes fluminis *Wisconsin* ad lacum *Kahakihaken* et lacum *Mechigan* protenditur, a meridie demum fluviis *Fon* et *Manitowok* terminari volumus. Porro dictae *Sinus Viridis* ecclesiae honores omnes, iura ac privilegia tribuimus atque impertimur, quibus aliae episcopales sedes fruuntur et gaudent.¹

§ 3. Haec volumus, praecipimus, decernentes praesentes nostras literas firmas validas et efficaces esse et fore *etc. uti in praecedenti*.

Datum Romae apud S. Petrum, sub annulo Piscat., die III. martii MDCCCLXVIII., pontificatus nostri anno XXII.

Source: De Martinis, VI (2), 10.

No. 130.

PIUS IX

MARCH 3, 1868

Summary: The Fathers of the Second Plenary Council of Baltimore have petitioned Us to erect the Vicariate-Apostolic of Marysville, California, into a Diocese.

In compliance with their request, We, hereby, erect the diocese.

¹ Joseph Melcher, the first Bishop of Green Bay, was born in Vienna, Austria, on March 19, 1806, received ordination on March 27, 1830, and was consecrated Bishop of Green Bay on July 12, 1868. He died on December 20, 1873. Clarke, *Lives of Deceased Bishops*, III, 339-345.

The episcopal See shall be in the city of Grass Valley, from which the See shall take its name.¹

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Summi apostolatus munus nostrae divinitus humilitati commissum flagitat, ut ea mature praestemus, quae catholicae rei et aeternae animarum saluti benevertant. Quapropter, si intellexerimus spirituali fidelium regimini et incolumitati expedire, ut novae per catholicum orbem erigantur dioeceses, ad id animum intendimus, atque apostolica nostra auctoritate ea decernimus, quae novis episcopalibus sedibus statuendis opportuna maxime et salubria videantur. Cum itaque sacri Antistites Concilii Plenarii II. Foederatorum Statuum Americae Septentrionalis, mense octobri an. MDCCCLXVI. Baltimore habiti, nobis exposuerint valde profuturum catholicae religioni, si Vicariatus Apostolicus Marysvillensis in novam episcopalem sedem erigeretur, nos cum vv. ff. nn. S. R. E. Cardinalibus negotiis Fidei Propagandae praepositis communicata re seduloque perpensa, ad propositam novae sedis foundationem deveniendum existimavimus.

§ 2. Quae cum ita sint, de memoratorum Cardinalium consilio, deque nostrae apostolicae auctoritatis plenitudine, hisce literis Vicariatuum Apostolicum Marysvillensem in novam episcopalem sedem erigimus et constituimus. Porro novae istius ecclesiae sedem in urbe *Grass Valley* sitam esse volumus, eiusque dioecesim, Vallispratensis nomine in posterum nuncupari, omnibusque honoribus, iuribus ac privilegiis potiri, quibus aliae episcopales sedes fruuntur et gaudent.

§ 3. Haec volumus, praecipimus, decernentes praesentes nostras literas firmas validas et efficaces esse et fore *etc. uti in praecedenti.*

Datum Romae apud S. Petrum, sub annulo Piscat., die III. martii MDCCCLXVIII., pontificatus nostri anno XXII.

Source: De Martinis, VI (2), 10-11.

No. 131.

PIUS IX

MARCH 3, 1868

Summary: The Fathers of the Second Plenary Council of Baltimore have petitioned Us to divide the extensive Diocese of Buffalo, and to erect a new episcopal See in the city of Buffalo (*sic*).

¹ Cf. No. 120.

Therefore, We, hereby, divide the Diocese of Buffalo, so that the following counties shall be subject to the new See, viz., Monroe, Wayne, Livingston, Tioga, Tompkins, Seneca, Yates and Ontario. The See of the new Diocese shall be in the city of Buffalo (*sic*).

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Summi apostolatus munus nostrae divinitus humilitati commissum flagitat, ut ea mature praestemus, quae catholicae rei et aeternae animarum saluti benevertant. Quamobrem, si intellexerimus spirituali fidelium regimini et incolumitati expedire, ut novae per catholicum orbem erigantur dioeceses, ad id animum intendimus, atque apostolica nostra auctoritate ea decernimus, quae novis episcopalibus sedibus statuendis opportuna maxime et salubria videantur. Cum itaque sacri Antistites Concilii Plenarii II. Foederatorum Statuum Americae Septentrionalis, mense octobri anni MDCCCLXVI. Baltimore habiti, nobis exposuerint catholicae religioni valde profuturum, si, latissimo buffalensis dioecesis territorio diviso, in Buffalensi urbe nova episcopalis sedes erigetur, nos cum vv. ff. nn. S. R. E. Cardinalibus negotiis Fidei Propagandae praepositis communicata re seduloque perpensa, ad propositam novae istius sedis foundationem deveniendum existimavimus.

§ 2. Quae cum ita sint, de memoratorum Cardinalium consilio, deque apostolicae auctoritatis nostrae plenitudine, hisce literis amplissimum territorium Buffalensis ecclesiae ita dividimus, ut, qui infra scripti sunt, octo civiles comitatus, *Monroe* scilicet, *Wajne*, *Livingston*, *Cujuga* [Tioga], *Tompkins* [Tompkins], *Seneca* [Seneca], *Sates* [Yates], et *Antorio* [Ontario] qui ad illud hucusque pertinuerunt, in novae ecclesiae dioecesim cedant, reliquus vero illius regionis tractus Buffalensi ecclesiae remaneat. Porro novae istius ecclesiae, proprio Antistiti committendae, in Buffalensi urbe sedem esse volumus, eiusque dioecesim Buffalensem¹ in posterum nuncupari, illique honores omnes, iura ac privilegia tribuimus atque impertimur, quibus aliae episcopales sedes fruuntur et gaudent.

§ 3. Haec volumus, praecipimus, decernentes praesentes nostras literas firmas *etc.*

Datum Romae apud S. Petrum, sub annulo Piscat., die III. martii MDCCCLXVIII., pontificatus nostri anno XXII.

Source: De Martinis, VI (2), 11.

¹ Rochester is meant. B. J. McQuaid, the first Bishop, was born in New York City on December 15, 1823, ordained to the priesthood on January 16, 1848, and consecrated bishop on July 12, 1868. He died on January 18, 1909. Zwierlein, *Life and Letters of Bishop McQuaid* (Louvain, 1925).

No. 132.

PIUS IX

MARCH 3, 1868

Summary: The Fathers of the Second Plenary Council of Baltimore have petitioned Us to erect a new episcopal See in the city of La Crosse, Wisconsin.

In compliance with their request, We, hereby, erect the aforesaid See.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Summi apostolatus munus nostrae divinitus humilitati commissum flagitat, ut ea mature praestemus, quae catholicae rei et aeternae animarum saluti benevertant. Quamobrem, si intellexerimus spirituali fidelium regimini et incolumitati expedire, ut novae per catholicum orbem erigantur dioeceses, ad id animum intendimus, atque apostolica nostra auctoritate ea decernimus, quae novis episcopalibus sedibus statuendis opportuna maxime et salubria videantur. Cum itaque sacri Antistites Concilii Plenarii II. Foederatorum Statuum Americae Septentrionalis, mense octobri anni MDCCCLXVI. Baltimore habiti, nobis exposuerint catholicae religioni valde profuturum, si in urbe *La Crosse* nova episcopalis sedes erigeretur, nos cum vv. ff. nn. S. R. E. Cardinalibus negotiis Fidei Propagandae praepositis communicata re seduloque perpensa, ad propositam novae istius sedis foundationem deveniendum existimavimus.

§ 2. Quae cum ita sint, de memoratorum Cardinalium consilio deque nostrae apostolicae auctoritatis plenitudine, hisce literis, in urbe *La Crosse*¹ novam episcopalem sedem erigimus et constituimus, proprio Episcopo committendam, eiusque ecclesiae dioecesim, Crossensem in posterum nuncupandam, illum terrae tractum qui ab oriente flumine *Wisconsin*, ab occidente flumine *Mississippi* et statu *Minesota* clauditur, ad meridiem vero pro finibus habet idem flumen *Wisconsin* usque ad ostium in flumen *Mississippi*, denique ad aquilonem lacum superiorem, illamque partem status *Michigan* quae a lacu superiori usque ad lacum *Kabrakihaken* se protendit, complecti volumus. Porro dictae ecclesiae

¹ Michael Heiss was appointed to the newly-created See. He was born in Pfahldorf, Bavaria, on April 28, 1818, was ordained to the priesthood on October 18, 1840, and came to the United States two years later. He received consecration on September 6, 1868, and in 1880, was transferred to the metropolitan See of Milwaukee as Coadjutor to Archbishop Henni. He succeeded to the See on September 7, 1881, and died on March 16, 1890. O'Donnell, *Catholic Hierarchy*, 166.

Crossensi honores omnes, iura et privilegia tribuimus atque impertimur, quibus aliae episcopales sedes fruuntur et gauden.

§ 3. Haec volumus, praecipimus, decernentes praesentes nostras literas firmas *etc.*

Datum Romae apud S. Petrum, sub annulo Piscat., die III. martii MDCCCLXVIII., pontificatus nostri anno XXII.

Source: De Martinis, VI, (2), 11-12.

No. 133.

PIUS IX

MARCH 3, 1868

Summary: The fathers of the Second Plenary Council of Baltimore have petitioned Us to divide the extensive Archdiocese of Cincinnati, and to erect therein a new episcopal See at Columbus.

In compliance with their request, We, hereby, divide the above-mentioned archdiocese in such a manner that the territory from the Ohio River to the Scioto River shall belong to the new diocese together with the Counties of Franklin, Delaware and Morrow. The new episcopal See shall be in the city of Columbus.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Summi apostolatus munus nostrae divinitus humilitati commissum flagitat, ut ea mature praestemus, quae catholicae rei et aeternae animarum saluti benevertant. Quamobrem, si intellexerimus spirituali fidelium regimini et incolumitati expedire, ut novae per catholicum orbem erigantur dioeceses, ad id animum intendimus, atque apostolica nostra auctoritate ea decernimus, quae novis episcopalibus sedibus statuendis opportuna maxime et salubria videantur. Cum itaque sacri Antistites Concilii Plenarii II. Foederatorum Statuum Americae Septentrionalis, mense octobri anni MDCCCLXVI. Baltimore habiti, nobis exposuerint catholicae religioni valde profuturum, si Cincinnatiensis Archidioecesis territorium divideretur, et in urbe *Columbus* nova episcopalis sedes erigeretur, nos cum vv. ff. nn. S. R. E. Cardinalibus negotiis Fidei Propagandae praepositis communicata re seduloque perpensa, ad istius sedis foundationem deveniendum existimavimus.

§ 2. Quae cum ita sint, de memoratorum Cardinalium consilio, deque nostrae apostolicae auctoritatis plenitudine, hisce literis praedictae Cincinnatiensis Archidioecesis territorium ita dividimus, ut ea pars status

Ohio, quae a flumine Ohio nuncupato ad orientem fluminis Scioto usque ad civitatem *Columbus* protenditur, adiectis comitatibus Franklin, Delaware ac Morrow, in istius novae ecclesiae divisionem cedat; reliqua vero pars status Ohio ad occidentem praedicti fluminis Scioto, usque ad meridionales limites Clevelandensis dioecesis, adiectis comitatibus Union, Marion et Mardin, Cincinnatiensi Archiepiscopatu remaneat. Porro novae istius Ecclesiae sedem sitam esse volumus in *Columbus*¹ urbe, eiusque dioecesim *Columbensis* nomine in posterum nuncupari, honoribusque, iuribus et privilegiis potiri, quibus aliae episcopales sedes fruantur et gaudent.

§ 3. Haec volumus, praecipimus, decernentes praesentes nostras literas etc.

Datum Romae apud S. Petrum, sub annulo Piscat., die III. martii MDCCCLXVIII., pontificatus nostri anno XXII.

Source: De Martinis VI (2), 12.

No. 134.

PIUS IX

MARCH 3, 1868

Summary: The Fathers of the Second Plenary Council of Baltimore have petitioned Us to erect a new vicariate-apostolic which shall embrace the entire State of North Carolina.

In compliance with their request, We erect the above-mentioned Vicariate-Apostolic.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Summi apostolatus munus nostrae divinitus humilitati commissum flagitat, ut ea mature praestemus, quae catholicae rei et aeternae animarum saluti benevertant. Cum itaque sacri Antistites Concilii Plenarii II. Foederatorum Statuum Americae Septentrionalis, mense octobri anni MDCCCLXVI. Baltimore habiti, nobis exposuerint valde religioni profuturum, si novus vicariatus apostolicus erigeretur, qui integrum statum Carolinae Septentrionalis complecteretur,¹ nos cum

¹ Sylvester H. Rosencrans, Auxiliary Bishop of Cincinnati, was appointed to the new See. He was born at Homer, Ohio, on February 15, 1827. After his conversion to the Faith, he began studying for the priesthood and received ordination on June 5, 1853. On March 25, 1862, he was consecrated titular Bishop of Pompeipolis and Auxiliary to Cincinnati. He died in Columbus on October 21, 1878. O'Donnell, *op. cit.*, 117-118.

vv. ff. nn. S. R. E. Cardinalibus negotiis Fidei Propagandae praepositis re communcata, seduloque perpensa, ad propositam novi istius vicariatus foundationem deveniendum existimavimus.

§ 2. Quae cum ita sint, de memoratorum Cardinalium consilio, deque nostrae apostolicae auctoritatis plenitudine, hisce literis integrum statum Carolinae Septentrionalis² in vicariatum apostolicum erigimus et constituimus, cui a Carolina Septentrionali nomen sit.³

§ 3. Haec volumus, praecipimus, decernentes praesentes nostras literas firmas validos *etc.*

Datum Romae apud S. Petrum, sub annulo Piscat., die III. martii MDCCCLXVIII., pontificatus nostri anno XXII.

Source: De Martinis, VI (2), 12-13.

No. 135.

PIUS IX

MARCH 3, 1868

Summary: The Fathers of the Second Plenary Council of Baltimore have petitioned Us to erect a new episcopal See in the city of Harrisburg, Pennsylvania.

In compliance with their request, We hereby erect the above-mentioned episcopal See.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Summi apostolatus munus nostrae divinitus humilitati commis-

¹ James Gibbons was appointed to the newly-created Vicariate. He was born in Baltimore, Maryland, on July 23, 1834; ordained to the priesthood on June 30, 1861, and was consecrated titular Bishop of Adramyttium and Vicar-Apostolic of North Carolina on August 16, 1868. In 1872, he was transferred to the See of Richmond and in 1877, became Coadjutor to Baltimore. He succeeded to the See of Baltimore on October 3, 1877, received the Cardinal's hat on June 30, 1886, and died on March 24, 1921. O'Donnell, *Catholic Hierarchy*, 8-9.

² On June 8, 1910, Pius IX constituted the Counties of Gaston, Lincoln, Cleveland, Polk, Rutherford, McDowell, Burke, and Catawba as the *Abbatia nullius* of Belmont.

³ The Vicariate became the Diocese of Raleigh on December 22, 1924. *Acta Apostolicae Sedis*, XVII (1925), 171-173.

sum flagitat, ut ea mature praestemus, quae catholicae rei et aeternae animarum saluti benevertant. Quamobrem, si intellexerimus spirituali fidelium regimini et incolumitati expedire, ut novae per catholicum orbem erigantur dioeceses, ad id animum intendimus, atque apostolica nostra auctoritate ea decernimus, quae novis episcopalibus sedibus opportuna maxime et salubria videantur. Cum itaque sacri Antistites Concilii Plenarii II. Foederatorum Statuum Americae, mense octobri anni MDCCCLXVI. Baltimore habiti, nobis exposuerint, catholicae religioni valde profuturum, si in urbe *Harrysbourg* nova episcopalis sedes erigeretur; nos cum vv. ff. nn. S. R. E. Cardinalibus negotiis Fidei Propagandae praepositis communicata re seduloque perpensa, ad propositam novae istius sedis foundationem deveniendum existimavimus.

§ 2. Quae cum ita sint, de memoratorum Cardinalium consilio deque nostrae apostolicae auctoritatis plenitudine, hisce literis, in urbe *Harrysbourg*¹ novam episcopalem ecclesiam erigimus et constituimus, proprio Episcopo committendam, eiusque Ecclesiae dioecesim, *Harrysbourgensem* in posterum nuncupandam, comitatus civiles *Clinton, Centre, Mifflin, Franklin, Cumberland, Adams, Sonk* [York], *Dauphin, Northumberland, Columbia, Lebanon, Lancaster, Montour, Aricou, Snyder, Juniata, Perry et Satton* in statu Pensilvaniae positos complecti volumus. Porro dictae *Harrysbourgensi* Ecclesiae honores omnes, iura ac privilegia tribuimus atque impertimur, quibus aliae episcopales sedes fruuntur et gaudent.

§ 3. Haec volumus, praecipimus, decernentes praesentes nostras literas firmas validas *etc.*

Datum Romae apud S. Petrum, sub annulo Piscat., die III. martii MDCCCLXVIII., pontificatus nostri anno XXII.

Source: De Martinis, VI (2), 13.

No. 136.

PIUS IX

MARCH 3, 1868

Summary: The Fathers of the Second Plenary Council of Baltimore have petitioned Us to erect a new episcopal See in the city of Wilmington, Delaware.

In compliance with their request, We hereby erect the above-

¹ Jeremiah F. Shanahan was appointed to the newly-created See. He was born in July, 1834, at Silver Lake, Pennsylvania, was ordained to the priesthood on July 3, 1859, and received consecration on July 12, 1868. He died on September 24, 1886. O'Donnell, *Catholic Hierarchy*, 161.

mentioned See which shall embrace the entire State of Delaware, eight Counties in Maryland and Northampton and Accomac Counties in Virginia.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Summi apostolatus munus nostrae divinitus humilitati commissum flagitat, ut ea mature praestemus, quae catholicae rei et aeternae animarum saluti benevertant. Quamobrem, si intellexerimus spirituali fidelium regimini et incolumitati expedire, ut novae per catholicum orbem erigantur dioecesis, ad id animum intendimus atque apostolica nostra auctoritate ea decernimus, quae novis episcopalibus sedibus statuendis opportuna maxime et salubria videantur.

§ 2. Cum itaque sacri Antistites Concilii Plenarii II. Foederatorum Statuum Americae Septentrionalis, mense octobri an. MDCCCLXVI. Baltimore habiti, nobis exposuerint catholicae religioni valde profuturum, si in urbe *Wilmington* nova episcopalis sedes erigeretur: nos cum venerabilibus fratribus nostris S. R. E. Cardinalibus negotiis Fidei Propagandae praepositis communicata re seduloque perpensa, ad propositam novae istius sedis foundationem deveniendum existimavimus.

§ 3. Quae cum ita sint, de memoratorum Cardinalium consilio atque apostolicae auctoritatis nostrae plenitudine, hisce literis, in urbe *Wilmington* novam episcopalem ecclesiam erigimus et constituimus, proprio Episcopo committendam, eiusque ecclesiae dioecesim, *Wilmingtoniensem* in posterum nuncupandam, integrum statum *Delaware* et comitatus civiles *Cecil, Kent, Queen Anne, Talbot, Caroline, Dorchester, Somerset* et *Worcester* in statu *Marylandiae*, nec non comitatus *Northampton* et *Acomac* ad statum *Virginiae* pertinentes, complecti volumus. Porro dictae *Wilmingtoniensi* ecclesiae honores omnes, iura et privilegia tribuimus ac impertimur, quibus aliae episcopales sedes fruuntur et gaudent.¹

§ 3. Haec volumus, praecipimus, decernentes praesentes nostras literas firmas validas et efficaces etc.

Datum Romae apud S. Petrum, sub annulo Piscat., die III. martii MDCCCLXVIII., pontificatus nostri anno XXII.

Source: De Martinis, VI (2), 13-14.

¹ Thomas A. Becker was appointed to the new See. He was born in Pittsburgh, Pennsylvania, on December 20, 1832, was ordained to the priesthood on June 18, 1859, and consecrated Bishop of Wilmington on August 16, 1868. In 1886, he was transferred to the See of Savannah where he died on July 29, 1899. O'Donnell, *Catholic Hierarchy*, 20-21.

No. 137.

PIUS IX

MARCH 3, 1868

Summary: The Fathers of the Second Plenary Council of Baltimore have petitioned Us to erect a new vicariate-apostolic in the territory of Idaho.

In compliance with their request, We, hereby, erect the vicariate-apostolic, which shall embrace the territory of Montana west of the Rocky Mountains.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Summi apostolatus munus nostrae divinitus humilitati commissum flagitat, ut ea mature praestemus, quae catholicae fidei et aeternae animarum saluti benevertant. Cum itaque sacri Antistites Concilii Plenarii II. Foederatorum Statuum Americae Septentrionalis, mense octobri an. MDCCCLXVI. Baltimore habiti, nobis exposuerint catholicae religioni valde profuturum, si in territorio Idaho novus Vicariatus Apostolicus erigeretur: nos cum vv. ff. nn. S. R. E. Cardinalibus negotiis Fidei Propagandae praepositis communicata re seduloque perpensa ad propositam novi istius vicariatus foundationem deveniendum censuimus.

§ 2. Quae cum ita sint, de memoratorum Cardinalium consilio deque apostolicae nostrae potestatis plenitudine, hisce literis, in territorio Idaho¹ nuncupato novum Vicariatum Apostolicum erigimus et constituimus, eumque tractum territorii Montanae ad occidentem Montium Saxosorum iacentem complecti volumus.

§ 3. Haec praecipimus, mandamus, decernentes praesentes nostras literas firmas validas ac efficaces esse et fore suosque plenarios et integros effectus sortiri atque obtinere, iisque ad quos spectant et in tempore spectabunt, hoc futurisque temporibus plenissime suffragari; sicque per quoscumque iudices ordinarios et extraordinarios iudicari et definiri debere, irritumque et inane quidquid secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari. Non obstantibus, quatenus opus sit, nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, nec non Benedicti XIV. praedecessoris nostri rec. mem. super divisione materiarum, aliisque apostolicis ac in

¹ Louis Lootens was appointed to the vicariate-apostolic. He was born on March 17, 1827 at Bruges, Belgium. Ordained to the priesthood on June 14, 1851, and consecrated titular Bishop of Castabala August 9, 1868. He resigned on July 16, 1876 and died on January 13, 1898. O'Donnell, *Catholic Hierarchy*, 33-34.

universalibus, provincialibus et synodalibus Conciliis editis generalibus vel specialibus constitutionibus et ordinationibus apostolicis, ceterisque contrariis quibuscumque.²

Datum Romae apud S. Petrum, sub annulo Piscat., die III. martii MDCCCLXVIII., pontificatus nostri anno XXII.

Source: De Martinis, VI (2), 14.

No. 138.

PIUS IX

MARCH 11, 1870

The Church in the United States continued her phenomenal growth in the following decade, 1870-1880. The hierarchial development during these years was consistent with the numerical increase of the Church.¹ The Holy See, at the instance of the American hierarchy, created episcopal Sees during the years 1870-1875 at St. Augustine (Florida), Springfield (Massachusetts), Ogdensburgh (New York), Providence (Rhode Island), San Antonio (Texas), Peoria (Illinois), and established the Vicariates-Apostolic of Brownsville (Texas), Northern Minnesota, and the metropolitan Sees of Boston, Philadelphia, Milwaukee, and Santa Fé.

Summary: The Fathers of the Tenth Provincial Council of Baltimore have petitioned Us to erect a new episcopal See in the territory of Florida having the same territorial limits as the previous Vicariate-Apostolic.

In compliance with their request, We, hereby, erect a new episcopal See in the city of St. Augustine which shall embrace the same territory as the former Vicariate-Apostolic. The new diocese shall be suffragan to the Archdiocese of Baltimore.

PIUS PP. IX.

ad futuram rei memoriam.

Quae catholico nomini bene, prospere atque feliciter eveniant, ea

² The Vicariate became the Diocese of Boise City on August 25, 1893.

¹ The Catholic population increased from 4,504,000 in 1870 to 6,259,000 in 1880. Shaughnessy, *Has the Immigrant Kept the Faith?*, 161. Cf. Guilday, "The Church in the United States (1870-1920)", in *CHR*, VI (1921).

mature pro universae Ecclesiae divinitus nobis commissa cura praestamus, sique intellexerimus novas erigendo dioeceses satius consultum iri dominici gregis incolumitati, id facimus, interposita idecirco apostolica nostra auctoritate. Iam vero cum venerabiles fratres decimae Synodi provincialis Baltimorensis,² quae novissime elapso anno fuit celebrata, a nobis enixe postulaverint, ut in territorio Floridae, ubi iam inde ab anno MDCCCLVII. vicariatus apostolicus fuit constitutus, nova dioecesis, servatis eiusdem vicariatus limitibus, erigeretur, nos, ubi primum datum fuit, rem egimus cum venerabilibus fratribus nostris Sanctae Romanae Ecclesiae Cardinalibus negotiis Propagandae Fidei praepositis; deque eorumdem venerabilium fratrum consilio ad novae illius dioecesis erectionem deveniendum existimavimus. Quae cum ita sint, attenta ac sedula deliberatione nostra, atque ex apostolicae potestatis plenitudine, in territorio Floridae novam, hisce litteris, episcopalem sedem erigimus, iisdem limitibus definitam, quibus vetus vicariatus continebatur, eique a civitate Sancti Augustini nomen fieri mandamus.³ Illam porro suffraganeam esse iubemus Archiepiscopi Baltimorensis, atque omnibus iuribus, honoribus privilegiisque frui, quibus aliae episcopales ecclesiae fruuntur et gaudent. Haec mandamus, iubemus, volumus, decernentes has nostras litteras firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis ad quos spectat, et pro tempore quandocumque spectabit, in omnibus et per omnia plenissime suffragari; sique in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii nostri apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari. Non obstantibus, quatenus opus sit, nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, Benedicti XIV. praedecessoris nostri rec. mem. super divisione materiarum, aliisque apostolicis constitutionibus et ordinationibus, nec non speciali atque individua mentione dignis in contrarium facientibus quibuscumque.

² The Tenth Provincial Council of Baltimore was convened on April 25, and closed on May 2, 1869. The *Acta et Decreta* are given in *Coll. Lac.*, III, 575-600. The *Pastoral Letter* is printed *ibid.*, 1275 f.

³ Augustine Verot was appointed to the newly-created See. He was born in France on May 23, 1805, ordained to the priesthood on September 28, 1828 and shortly afterwards joined the Sulpicians. He was consecrated titular Bishop of Danaba and Vicar-Apostolic of Florida on April 25, 1858 and three years was transferred to the Diocese of Savannah, while still retaining jurisdiction over Florida. When the Diocese of St. Augustine was created he was transferred to that See, while Ignatius Persico was appointed to the See of Savannah. Verot died on June 10, 1876. O'Donnell, *Catholic Hierarchy*, 19-20.

Datum Romae apud S. Petrum, sub annulo Piscatoris, die xi.⁴ maii [martii] MDCCCLXX., pontificatus nostri anno XXIV.

Sources: De Martinis, VI (2), 67-68; *Pii IX Acta*, 136-137.

No. 139.

PIUS IX

JUNE 14, 1870

Summary: The Archbishop and the Bishops of the Province of New York have petitioned Us to detach Berkshire, Franklin, Hampshire, Hamden, and Worcester Counties in Massachusetts from the Diocese of Boston and to erect them into a separate diocese.

In compliance with their request, We, hereby, erect the above-mentioned Counties into a diocese, whose episcopal See shall be in the city of Springfield. The new See shall be suffragan to New York.

PIUS PP. IX.

ad futuram rei memoriam.

Ex commissi nobis ab alto pastoralis officii debito ea omnia praestare alacri libentique solemus animo, quae in christiani nominis bonum atque in universi dominici gregis utilitatem et commodum cessura dignoscamus. Iam vero quum venerabiles fratres Archiepiscopus et Sacrorum Antistites ecclesiasticae provinciae Neo-Eboracensis in foederatis Americae statibus enixe a nobis postulaverint, ut a latissima dioecesi Bostoniensi, quae intra eiusdem provinciae Neo-Eboracensis limites consistit, nonnullas seiungamus partes, Comitatus nempe, qui nominantur, Berkshire, Franklin, Hampshire, Hampden et Worcester, et novam ex hisce Comitatibus in Statu Massachusetts episcopalem sedem erigere de apostolica auctoritate nostra velimus, re cum venerabilibus fratribus nostris Sanctae Romanae Ecclesiae Cardinalibus christianae fidei propagandae praepositis maturo diligentique perpensa examine, quum id maximo religionis bono et fidei incremento futurum noverimus, huiusmodi postulationibus obsecundandum censuimus, deque eorumdem venerabilium fratrum nostrorum consilio ad novae in supradicto Statu dioecesis erectionem deveniendum decrevimus. Quare de apostolicae potestatis nostrae plenitudine novam in ditione Massachusetts erigimus dioecesim, quae Comitatibus vulgari sermone Berkshire, Franklin, Hampshire, Hampden et Worcester nominatis constabit, ac proinde

⁴ The *Pii IX Acta*, V, 137, gives the date of the document as March 11.

eosdem comitatus a Bostoniensi dioecesi seiungimus, atque ab illius Episcopi iurisdictione omnino eximimus, atque ita seiunctos et exemptos novae huius dioecesi attribuimus.¹ Novae autem huius dioecesis, quam suffraganeam Neo-Eboracensi Episcopo assignamus, episcopalem sedem in Campifontis civitate, vulgo Sprigfield, constituimus, eidemque dioecesi ab memorata Campifontis (Sprigfield) [Springfield] civitate nomen fieri mandamus. Praecipimus item, ut nova haec per nos instituta Campifontis dioecesis omnibus perfruatur iuribus, honoribus et privilegiis, quibus aliae episcopales ecclesiae fruuntur et gaudent. Haec volumus et mandamus, decernentes has litteras nostras firmas validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis ad quos spectat, et pro tempore quandocumque spectabit, in omnibus et per omnia plenissime suffragari, sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam, quavis auctoritate, scienter vel ignoranter contigerit attentari. Non obstantibus nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, nec non fel. rec. Benedicti XIV. praedecessoris nostri super divisione Materiarum, aliisque apostolicis ac in universalibus provincialibusque et synodalibus conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, ceterisque contrariis quibuscumque.

Datum Romae apud S. Petrum, sub annulo Piscat., die xiv. iunii MDCCCLXX., pontificatus nostri anno xxv.

Sources: De Martinis, VI (2), 86-87; *Pii IX Acta*, V, 202-204.

No. 140.

PIUS IX

DECEMBER 22, 1871

Summary: The Vicar-Apostolic of Arizona, John B. Salpointe, has petitioned Us to establish more accurately the territorial limits of his vicariate. Wherefore, We, hereby, circumscribe the foregoing Vicariate as consisting of Arizona, the County of El Paso in Texas, and the County of Doñana or the Mesilla Valley in New Mexico.

¹ Patrick T. O'Reilly was appointed Bishop of Springfield. Born in County Cavan, Ireland, on December 24, 1833, ordained to the priesthood on August 15, 1857, and consecrated bishop on September 25, 1870. He died on May 28, 1892. O'Donnell, *op. cit.*, 144-145.

PIUS PP. IX.

ad futuram rei memoriam.

Inter multiplices gravesque apostolici ministerii curas, quibus distinemur, ad eas regiones identidem animum intendimus quae longo terrarum marisque tractu ab hoc catholicae religionis centro seiunguntur, ac si quid per ea loca minus recte se haberi deprehenderimus, illud emendare ac corrigere maturamus, ne christiana res quidpiam exinde detrimenti capiat. Cum itaque venerabilis frater Ioannes Baptista Salpointe Episcopus Dorylensis in partibus infidelium, et Vicarius Apostolicus *De Arizona* in Foederatis Americae Statibus, a nobis enixe postulaverit, ut eiusdem Apostolici Vicariatus limites accuratius describeremus, quam quod per apostolicas litteras diei xxv. mensis septembris MDCCCLXVIII. praestitimus, nos, ubi primum datum fuit, rem iterum detulimus ad venerabiles fratres nostros S. R. E. Cardinales negotiis Propagandae Fidei praepositos, attenteque perpensis rationibus, quae ab memorato Antistite adductae sunt, eius votis obsecundandum existimavimus. Quae cum ita sint, de eorumdem venerabilium fratrum consilio, auctoritate nostra apostolica, tenore praesentium Vicariatum Apostolicum *De Arizona* in Foederatis Statibus Americae Septentrionalis ita circumscribimus,¹ ut ex huius nominis territorio, ex Comitatu, vulgo dicto *El Faso* [Paso] in Statu *Texas*, et ex Comitatu, vulgo *Doñana*, qui melius internoscitur nomine *Mesilla Valley*, in territorio *Novi Mexici* constare debeat, ea tamen lege ut tabula chorographica istius regionis a Metropolitano subscribatur, et memoratae apostolicae nostrae litterae ad hanc Sanctam Sedem remittantur. Haec statuimus, mandamus, ordinamus, decernentes praesentes litteras firmas, valides et efficaces existere ac fore, suosque plenarios et integros effectus sortiri et obtinere, et illis an quos spectat, in omnibus et per omnia plenissime suffragari; sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate fungente scienter vel ignoranter contigerit attentari. Non obstantibus, quatenus opus sit, nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, aliisque speciali atque individua mentione dignis, nec non eiusdem Vicariatus *De Arizona* etiam iuramento,

¹ The Vicariate of Arizona was established on September 25, 1868, and John B. Salpointe appointed as Vicar-Apostolic. He was born at St. Maurice, France, on February 21, 1825, and ordained to the priesthood on December 20, 1851. He came to the United States in 1859, and was consecrated Vicar-Apostolic of Arizona on June 20, 1869. He was made Coadjutor of Archbishop Lamy of Santa Fe on April 22, 1884, and succeeded to the See on July 18, 1885. He resigned the See in 1894, and died in France on July 15, 1898. Reuss, *op. cit.*, 97.

confirmatione apostolica, vel quavis firmitate alia roboratis statutis et consuetudinibus, caeterisque contrariis quibuscumque.²

Datum Romae apud S. Petrum, sub annulo Piscatoris die XXII. dec. MDCCCLXXI., pontificatus nostri anno XXVI.

Sources: De Martinis, VI (2), 144; *Pii IX Acta*, 388-390.

No. 141.

PIUS IX

FEBRUARY 16, 1872

Summary: The Archbishop of New York and his suffragans have petitioned Us to divide the extensive Diocese of Albany by erecting therein a new episcopal See.

In compliance with their request, We, hereby, detach six Counties from the Diocese of Albany, together with parts of Hamilton and De Herkimer. The territory, thus detached, We erect into a separate diocese, whose episcopal See shall be in the city of Ogdensburgh. The new See shall be suffragan to New York.

PIUS PP. IX.

ad futuram rei memoriam.

Quod catholico nomini bene, prospere atque feliciter eveniet, illud ex pastoralis officii nostri debito praestari maturemus. Itaque simul ac venerabilis frater Archiepiscopus Neo-Eboracensis in Foederatis Statibus Americae Septentrionalis, caeterique omnes ecclesiasticae istius provinciae Antistites nobis exposuerunt, christianae rei valde profuturum, si Albanensis dioecesis latissime patens, aliam episcopalem sedem erigendo, divideretur; nos ad vv. ff. nn. S. R. E. Cardinales negotiis Propagandae Fidei praepositos rem detulimus, omnibusque rationum momentis sedulo attenteque perpensis, ac probe intelligentes ex aucto Pastorum numero spirituali dominici gregis bono satius commodiusque consultum iri, ad propositam novae episcopalis sedis erectionem deveniendum existimavimus. Quae quum ita sint, de commemoratorum vv. ff. nn. consilio, certa scientia, matura deliberatione, atque apostolica nostra auctoritate praesentium tenore ab Albanensi dioecesi, quae sequuntur, territorii partes, nempe Comitatus qui vulgo *St. Laurence, Frankhiz* [Franklin], *Clintore* [Clinton], *Ifferson, Lewis* et *Essex* nominantur, una cum illa parte Comitatum vulgo *De Herkimer* et *Hamilton* quae iacet supra lineam septentrionalem Municipiorum

² The Vicariate became the Diocese of Tucson on May 8, 1897.

De Chio [Ohio] et *Russia*, seiungimus, secernimus, easdemque regiones in unam et proprie dictam dioecesim erigimus et constituimus. Huius novae dioecesis episcopalem sedem sitam volumus in civitate *Ogdensburgensi* (*Ogdensburgh*), ubi ecclesia iam constituta habetur, quae pro cathedrali assumatur, atque eam ideo dioecesim Ogdensburgensem nuncupari.¹ Propterea suffraganeam esse iubemus Archiepiscopi Neo-Eboracensis, et singulis atque universis iuribus, privilegiis, honoribus et praerogativis uti, frui, quibus caeterae episcopales ecclesiae fruuntur et gaudent. Haec statuimus, volumus, mandamus, decernentes praesentes nostras litteras firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis ad quos nunc spectat et spectabit in futurum, in omnibus et per omnia plenissime suffragari, et ab eis respective inviolabiliter observari; sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam, quavis auctoritate fungente, scienter vel ignoranter contigerit attentari. Non obstantibus nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, nec non Benedicti XIV. praedecessoris nostri super divisione materialium, aliisque constitutionibus apostolicis in contrarium facientibus quibuscumque.

Datum Romae apud S. Petrum, sub annulo Piscat., die xvi. febr. MDCCCLXXII., pontificatus nostri anno xxvi.

Sources: De Martinis, VI (2), 147-148; *Pii IX Acta*, VI, 5-7.

No. 142.

PIUS IX

FEBRUARY 16, 1872

Summary: The Archbishop of New York and his suffragans have petitioned us to detach certain parts from the two Dioceses of Boston and Hartford and erect the same into a separate diocese.

In compliance with their request, We hereby separate the entire State of Rhode Island from the Diocese of Hartford, and the four Counties of Bristol, Barnstable, Dukes and Nantucket from

¹ Edgar P. Wadhams, who was appointed to the new See, was born at Lewes, Essex County, New York City, on May 17, 1817. Converted to the Faith, he was ordained to the priesthood on January 15, 1850, and received consecration on May 5, 1872. He died on December 5, 1891. O'Donnell, *op. cit.*, 89.

the Diocese of Boston, together with three towns in the County of Plymouth. From the territory, thus detached we erect a new diocese, whose episcopal See shall be in the city of Providence and shall be suffragan to New York.

PIUS PP. IX.

ad futuram rei memoriam.

Quod catholico nomini bene, prospere atque feliciter eveniet, illud ex pastoralis officii nostri debito praestari maturemus. Itaque simul ac venerabilis frater Archiepiscopus Neo-Eboracensis in Foederatis Statibus Americae Septentrionalis, caeterique omnes ecclesiasticae istius provinciae Antistites nobis exposuerunt, christianae rei valde profuturum, si a duabus diocesis, quae latissime patent, *Hartfordiensi* nimirum et *Bostoniensi*, nonnullae territorii partes secernerentur, ex quibus nova constaret dioecesis proprio Antistiti committenda; nos ad vv. ff. nn. S. R. E. Cardinales negotiis Propagandae Fidei praepositos rem detulimus, omnibusque rationum momentis sedulo attenteque perpensis, ac probe intelligentes ex aucto Pastorum numero spirituali dominici gregis bono satius commodiusque consultum iri, ad propositam novae episcopalis sedis erectionem deveniendum existimavimus. Quae cum ita sint, de memoratorum vv. ff. nn. consilio, certa scientia, matura deliberatione, atque apostolica nostra auctoritate, praesentium tenore, ab *Hartfordiensi* diocesi integram regionem insulae *Rhodensis* (Rhode-Island), atque a dioecesi *Bostoniensi* quatuor Comitatus, qui vulgo *Bristol*, *Barnstable*, *Dukes* et *Nantucket* nuncupantur, una cum tribus Municipiis Comitatus *Plymouth* quibus nomen factum *Warcham* [Wareham], *Marion* et *Mettapoisett* [Mattapoisett], seiungimus, secernimus, easdemque regiones in unam et proprie dictam dioecesim erigimus et constituimus. Huius novae dioecesis episcopalem sedem sitam volumus in civitate *Providentiae* (*Providence*), atque eam idecirco dioecesim *Providentiae* nuncupari.¹ Praeterea suffraganeam esse iubemus Archiepiscopi Neo-Eboracensis, et singulis atque universis iuribus, privilegiis, honoribus ac praerogativis uti, frui, quibus caeterae episcopales ecclesiae fruuntur et gaudent. Haec statuimus, volumus, mandamus, decernentes praesentes nostras litteras firmas, validas et efficaces existere ac fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis ad quos nunc spectat et spectabit in futurum, in omnibus et per omnia plenissime suffragari, et ab eis respective inviolabiliter observari; sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam

¹ Thomas F. Hendricken, the first Bishop of Providence, was born at Kilkenny, Ireland, on May 5, 1827. He was ordained to the priesthood in 1853, and consecrated bishop on April 28, 1872. He died on June 11, 1886. O'Donnell, *Catholic Hierarchy*, 146.

causarum palatii apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate fungente scienter vel ignoranter contigerit attentari. Non obstantibus nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, nec non Benedicti XIV. praedecessoris nostri super divisione materialium, aliisque apostolicis constitutionibus et ordinationibus in contrarium facientibus quibuscumque.

Datum Romae apud S. Petrum, sub annulo Piscat., die xvi. febr. MDCCCLXXII., pontificatus nostri anno xxvi.

Sources: De Martinis, VI (2), 148; *Pii IX Acta*, VI, 8-10.

No. 143.

PIUS IX

AUGUST 28, 1874

Summary: The Fathers of the Third Provincial Council of New Orleans have petitioned Us to divide the extensive Diocese of Galveston by erecting therein a new episcopal See in the city of San Antonio.

In compliance with this request, We, hereby, detach from the Diocese of Galveston that part of the State of Texas which lies between the Colorado River to the East, and the Nunes River to the West. The territory, thus detached, We erect into a separate diocese, whose episcopal See shall be in the city of San Antonio. The new See shall be suffragan to New Orleans.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Arcano divinae providentiae consilio nullis quidem nostris meritis in hac bñi Petri cathedra sublimi veluti in speculo collocati, ad eas catholici orbis partes animum intendimus, quae ab hoc SSmae Religionis nostrae centro, longo terrarum marisque tractu seiunguntur ac si quid in his compertum a nobis fuerit, quod spirituali regimini aeternaeque fidelium saluti bene prospere ac feliciter evenerit, illud quantum cum Domino possumus praestare maturamus.

§ 2. Cum itaque ven. frater Archiepiscopus atque Episcopi ecclesiasticae provinciae Neo-Aurelianensis in Foederatis Statibus Americae Septentrionalis tertiam provincialem in Synodum consistentes, ad nos retulerint, admodum in rem fidelium, qui in statu seu territorio degunt « Texas » quod nominatur, fore si Galvestonensem dioecesim latissime

patentem divideremus novamque episcopalem sedem erigeremus, proprio Antistiti committendam, et cuius in oppido S. Antonii episcopalis foret sedes, nos ubi primum data facultas est, cum vv. ff. nn. S. R. E. Cardinalibus negotiis Propagandae Fidei praepositis rem communicavimus; omnibus rationum momentis, quae a dietis praesulibus adducuntur, sedulo attenteque perpensis, ad propositam novae istius dioecesis erectionem devenire existimavimus. Quae cum ita sint, de eorundem vv. ff. nn. consilio auctoritate nostra apostolica tenore praesentium ab Galvestonensi dioecesi, quam memoravimus, illam status seu territorii «Texas» partem seiungimus, quae ad orientem inter flumen «Colorado», ad occidentem inter flumen «Nunes» iacet, et ex hac quam descripsimus status seu territorii «Texas» parte volumus, mandamus, edicimus, ut nova constet dioecesis, cui a S. Antonio nomen fiet atque in oppido cognomine S. Antonii episcopalis sedes, ubi ecclesia reperitur, quae pro cathedrali assumatur; tandem Archiepiscopi Neo-Aurelianensis suffraganea esto.¹ At enim nobis et S. huic Apostolicae Sedi ius reservamus novae istius dioecesis fines immutandi, eamque seiungendi ac dividendi, si illud satius expedire in Domino visum fuerit.

§ 3. Decernentes etc.

Datum Romae apud S. Petrum, sub annulo Piscat., die xxviii. aug. MDCCCLXXIV., pontificatus nostri anno xxix.

Source: De Martinis, VI (2), 249-250.

No. 144.

PIUS IX

SEPTEMBER 18, 1874

Summary: The Fathers of the Third Provincial Council of New Orleans have petitioned Us to separate a part of the territory of the Diocese of Galveston and to erect therefrom a vicariate-apostolic.

In compliance with this request, We hereby, detach that part of the State of Texas from the Diocese of Galveston, which lies between the River Nueces to the East, and the Rio Grande River on the West. The territory thus detached, We erect into the Vicariate-Apostolic of Brownsville.

¹ Anthony D. Pellicier, first Bishop of San Antonio, was born at St. Augustine, Florida, on December 7, 1824, and was ordained to the priesthood on October 15, 1850. His consecration took place on December 8, 1874. He died on April 14, 1880. O'Donnell, *op. cit.*, 66.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Cum ven. frater Archiepiscopus atque Episcopi ecclesiasticae provinciae Neo-Aurelianensis, in tertiam provincialem Synodum consistentes, ad nos retulerint, Religioni Catholicae valde profuturum, si a nimis late patenti Galvestonensi dioecesi aliqua distraheretur pars, eaque in Vicariatum Apostolicum proprio praesuli committendum erigeretur, Nos, per eam, quam gerimus, Ecclesiae universae curam atque aeterni animarum boni, rem communicare cum vv. ff. nn. Cardinalibus negotiis Fidei Propagandae praepositis maturavimus, omnibusque rationum momentis, quae a dictis Antistitibus adducebantur, sedulo attenteque perpensis, ad propositam novi istius vicariatus apostolici erectionem deveniendum censuimus, deque memoratorum vv. ff. nn. consilio, haec quae infrascripta sunt, decrevimus.

§ 2. Quae cum ita sint, certa scientia et matura deliberatione, ab dioecesi Galvestonensi partem illam status Texas, quae ad orientem inter flumen Vucees, ad occidentem inter flumen Rio Grande iacet, hisce literis, apostolica nostra auctoritate, seiungimus, separamus, eamque in vicariatum apostolicum proprium ac distinctum, cui ab urbe Brownsvillensi nomen sit, eadem auctoritate, tenore praesentium, erigimus et constituimus.¹ At enim nobis et S. huic Sedi Apostolicae ius reservamus istius novi vicariatus fines corrigendi, immutandi, si in Domino illud expedire visum fuerit.²

§ 3. Haec volumus, mandamus, edicimus, decernentes etc.

Datum Romae apud S. Petrum, sub anulo Piscat., die XVIII. sept. MDCCCLXXIV., pontificatus nostri anno XXIX.

Source: De Martinis, VI (2), 251-252.

¹ Dominic Manucy, who was appointed to the newly-created Vicariate, was born in St. Augustine, Florida on December 20, 1823. He was ordained to the priesthood on August 15, 1850, and consecrated titular Bishop of Dulma on December 8, 1874. On March 9, 1884, he was transferred to the See of Mobile while retaining jurisdiction over Brownsville. He resigned the See of Mobile on October 8, 1884, and was again transferred to the Vicariate-Apostolic of Brownsville. He died in Mobile on December 4, 1885. Clarke, *Lives of Deceased Bishops*, III, 388-396. O'Donnell, *op. cit.*, 57.

² The Vicariate became the Diocese of Corpus Christi on March 23, 1912. *Acta Apostolicae Sedis*, IV (1912), 328.

No. 145.

PIUS IX

FEBRUARY 12, 1875

Summary: We have been informed that the number of Catholics and episcopal Sees in the extensive Archdiocese of New York has increased to such an extent that the good of religion requires a division of the province into two archdioceses.

Wherefore, on the advice of the Sacred Congregation, We hereby divide the Archdiocese of New York into two provinces. The one province shall retain the name of the Archdiocese of New York and shall have as suffragan Sees, Albany, Brooklyn, Buffalo, Newark, Ogdenburgh and Rochester. The other shall constitute the Archdiocese of Boston, embracing the six New England States, and shall have as suffragans the Dioceses of Hartford, Burlington, Portland, Springfield, and Providence.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Quae Dei Ecclesiae perutilia fore videantur, ut a nobis mature praestentur, summi apostolatus munus, quod in ea obimus, expostulet. Cum itaque relatum ad nos fuerit Neo-Eboracensem provinciam in Foederatis Statibus Americae Septemtrionalis latissime patere, atque in ea tum catholicorum tum episcopalium sedium numerum eo crevisse, ut in rem christianam summopere fuerit, si eadem provincia in duas divideretur, nos, adhibitis venn. fratribus nostris S. Ecclesiae Romanae Cardinalibus negotis Propagandae Fidei praepositis, memoratae provinciae divisionem sedulo attenteque perpendimus; motique tandem rationibus in medium adductis, ad eam deveniendum existimavimus. Quae cum ita sint, de consilio dictorum venerabilium fratrum nostrorum S. Ecclesiae Romanae Cardinalium, hisce literis Neo-Eboracensem provinciam in Foederatis Statibus Americae Septemtrionalis in duas, apostolica nostra auctoritate, partimur, quarum una nomen retinens ecclesiasticae provinciae Neo-Eboracensis et, hanc sedem habens pro Metropoli, Ecclesias Albanensem, Brooklynensem, Buffalensem, Newreensem, Ogdensburgensem et Rostensem tamquam suffraganeas complectatur; altera vero eam partem complectens Foederatorum Statuum Americae Septemtrionalis, sex novae Angliae Status quae nominatur, sedem Bostoniensem pro Metropoli ac dioeceses Hartfordiensem, Burlingtonensem, Portlanden-

sem, Campitantes et Providentienses veluti suffraganeas comprehendat.¹

§ 2. Haec volumus, statuimus, edicimus, decernentes praesentes nostras literas firmas, validas et efficaces semper existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis ad quos spectat et pro tempore quomodolibet spectabit, in omnibus et per omnia plenissime suffragari, et irritum et inane, si secus super his a quoquam, quavis auctoritate, scienter vel ignoranter contigerit attentari. Non obstantibus, quatenus opus sit, nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, Benedicti XIV. praedecessoris nostri reeol. mem. super divisione materiarum, aliisque apostolicis ac in universalibus provincialibusque et synodalibus Conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, ceterisque contrariis quibuscumque.

Datum Romae apud S. Petrum, sub annulo Piscatoris, die XII. febr. MDCCCLXXV., pontificatus nostri anno XXIX.

Sources: De Martinis, VI (2), 259; *Pii IX Acta*, VII, 13-14.

No. 146.

PIUS IX

FEBRUARY 12, 1875

Summary: The Archbishop and Bishops of the Province of St. Louis, have informed Us that the number of Catholics and churches in the Diocese of St. Paul has increased to such an extent that the good of religion requires a division of the Diocese and the erection of a new vicariate-apostolic.

Wherefore, on the advice of the Sacred Congregation, We, hereby, detach from the Diocese of St. Paul the northern part of Minnesota as herein described and likewise part of Dakota. This detached territory, We erect into a Vicariate-Apostolic which shall take its name from Northern Minnesota.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Venerabiles fratres Archiepiscopus et Episcopi ecclesiasticae

¹ The first Archbishop of Boston, John J. Williams, was born in Boston on April 27, 1822, ordained to the priesthood on May 17, 1845 and was consecrated Bishop of Boston on March 11, 1866. He died on August 30, 1907. O'Donnell, *Catholic Hierarchy*, 136.

provinciae Sancti Ludovici in Foederatis Statibus Americae Septemtrionalis, peculiari conventu habito, ad nos retulerunt S. Pauli dioecesis nimis late patere; cumque in ea valde creverit catholicorum et ecclesiarum numerus, in rem sanctissimae Religionis nostrae maxime fore, si aliqua parte distracta, ea in Vicariatum Apostolicum proprio committendum Antistiti erigeretur. Quod simul ac accepimus, cum venn. fratribus nostris S. R. E. Cardinalibus negotiis Propagandae Fidei praepositis communicare maturavimus, omnibusque rei momentis sedulo attenteque perpensis, in memoratorum Antistitum sententiam eundum, et novi illius vicariatus erectionem decernendam existimavimus. Quae cum ita sint, de venn. fratrum nostrorum S. R. E. Cardinalium quos nominavimus consilio, auctoritate nostra apostolica, hisce literis, a dioecesi S. Pauli in Foederatis Statibus Americae Septemtrionalis totam illam status Minesotae partem seiungimus, quae ad Septemtrionem iacet, atque, incipiens a linea meridionali comitatum *Traverse, Stevens, Prope Stearns, Sherburne, Isanti et Chilago*, singulos hosce atque universos comitatus complectitur; item totam eam partem territorii Dakotae, quae, iacens ad Orientem a flumine Missouri et flumine *White Carltz*, et ad Septemtrionem, incipiens a meridionali linea comitatum *Burleigh Logard, Lamowre, Ranson et Richland*, istos aequae comitatus includit, atque ex huiusmodi territorii partibus novum Vicariatum Apostolicum efformamus, erigimus et constituimus, cuius a Minesota Septemtrionali nomen sit, et proprio Antistiti demandetur.¹

§ 2. Haec volumus, statuimus, edicimus, decernentes, praesentes nostras literas firmas, validas et efficaces semper existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis, ad quos spectat et pro tempore quomodolibet spectabit, in omnibus et per omnia plenissime suffragari, et irritum et inane, si secus super his, a quoquam, quavis auctoritate, scienter vel ignoranter contigerit attentari. Non obstantibus nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, Benedicti XIV. praedecessoris nostri super divisione materiarum, aliisque apostolicis ac in universalibus provincialibusque et synodalibus Conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, ceterisque contrariis quibuscumque.²

Datum Romae apud S. Petrum, sub annulo Piscatoris, die XII. febr. MDCCCLXXV., pontificatus nostri anno XXIX.

Sources: De Martinis, VI (2), 259-260; *Pii IX Acta*, VII, 15-17.

¹ Rupert Seidenbusch, the first Vicar-Apostolic of Minnesota, was born in Munich, Bavaria, on October 13, 1830. After joining the Benedictine Order at Beatty, Pennsylvania, he was ordained to the priesthood on June 22, 1853. He was consecrated titular Bishop of Halia on May 30, 1875, and resigned his Vicariate on October 19, 1888. He died on June 3, 1895. O'Donnell, *op. cit.*, 198.

² The Vicariate became the Diocese of St. Cloud on September 22, 1889.

No. 147.

PIUS IX

FEBRUARY 12, 1875

Summary: We deem it opportune, at the present time, to accede to the request of the Fathers of the Third (*sic!*) Plenary Council of Baltimore and to divide the extensive Province of Baltimore into two distinct provinces.

On the advice of the Sacred Congregation, We, therefore, divide the above-mentioned Province into two distinct provinces. The one shall retain the name of the Province of Baltimore and shall have as suffragans the Sees of Charleston, Wheeling, Richmond, Savannah, St. Augustine, Wilmington, and the Vicariate-Apostolic of North Carolina. The other Province shall be that of Philadelphia and shall have as suffragans, the Sees of Pittsburgh, Erie, Scranton, and Harrisburg.

*PIUS PP. IX.**ad futuram rei memoriam.*

§ 1. Quod antea a venerabilibus fratribus Concilium Plenarium Baltimoreense tertium celebrantibus postulatum fuerat, uti nempe provincia ecclesiastica Baltimoreensis in Foederatis Statibus Americae Septemtrionalis, inspecta eius amplitudine ac valde adaucto fidelium et episcopaliū sedium numero, duas in distinctas divideretur provincias, illud quidem praestandi tempus modo venisse existimavimus, postquam cum venn. fratribus nostris S. R. E. Cardinalibus negotiis Propagandae Fidei praepositis rem communicavimus et sedulo attenteque perpendimus. Quae cum ita sint, de memoratorum Cardinalium consilio, hisee literis, e praedicta provincia Baltimoreensi in Foederatis Statibus Americae Septemtrionalis duas apostolica nostra auctoritate provincias efformamus, quarum altera, nomen retinens provinciae Baltimoreensis et istam habens sedem pro Metropoli, tamquam suffraganeas complectetur dioeceses Carolopolitanam, Wheligensem, Richmondensem, Savannensem, S. Augustini et Wilmingtonensem, nec non Vicariatū Apostolicum Carolinae Septemtrionalis; altera vero Sedem Philadephiensem pro Metropoli, ecclesiasque Pittsburgensem [Pittsburgensem], Oriensem [Eriensem], Serantoniensem [Serantoniensem] et Harrisburgensem habeat pro suffraganeis.¹

¹ James F. Wood, first Archbishop of Philadelphia, was born in Philadelphia, on April 27, 1812. A convert to the Faith, he was ordained to the priesthood, on March 25, 1844. He was appointed Coadjutor to Philadel-

§ 2. Haec volumus, statuimus, edicimus, decernentes, praesentes nostras litteras firmas, valides et efficaces semper existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis ad quos spectat et pro tempore quomodolibet spectabit, in omnibus et per omnia plenissime suffragari, et irritum et inane, si secus super his a quocumque quavis auctoritate scienter vel ignoranter contigerit attentari. Non obstantibus nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, Benedicti XIV. praedecessoris nostri recol. mem. super divisione materiarum, aliisque apostolicis ac in universalibus provincialibusque et synodalibus Conciliis editis generalibus vel specialibus constitutionibus et ordinationibus ceterisque contrariis quibuscumque.

Datum Romae apud S. Petrum, sub annulo Piscatoris, die XII. febr. MDCCCLXXV., pontificatus nostri anno XXIX.

Sources: De Martinis, VI (2), 260; *Pii IX Acta*, 18-19.

No. 148.

PIUS IX

FEBRUARY 12, 1875

Summary: The Archbishop and Bishops of the Province of St. Louis have petitioned Us to divide the Archdiocese of St. Louis into three distinct provinces.

Wherefore, on the advice of the Sacred Congregation, We hereby divide the Archdiocese of St. Louis into three provinces. The one shall retain the name of St. Louis and shall have as suffragan Sees, the Dioceses of Alton, Chicago, Dubuque, Nashville, St. Joseph, Peoria, and the Vicariates-Apostolic of Kansas, Montana, and Nebraska. The second province shall be that of Milwaukee, having as suffragans, St. Paul, Sault Ste. Marie-Marquette, LaCrosse, Green Bay, and the Vicariate-Apostolic of Northern Minnesota. The third province shall be that of Santa Fe, having as suffragans, the Vicariates-Apostolic of Colorado and Arizona.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Quae nos sacri Antistites orant dominici gregis bono, ea nos, qui

phia, was consecrated on April 26, 1857, and succeeded to the See on January 6, 1860. He died on June 20, 1883. Shea IV, *passim*; Kirlin, *Catholicity in Philadelphia* (Philadelphia, 1909), *passim*.

Pastoris aeterni vices obimus in terris, propensa animi voluntate concedimus. Cum itaque venn. fratres Archiepiscopus¹ et Episcopi ecclesiasticae provinciae S. Ludovici in Foederatis Statibus Americae Septentrionalis peculiari conventu habito viderint catholicae Religioni maxime profuturum, si eadem ecclesiastica provincia, quae latissime patet, in tres distinctas provincias divideretur, atque idcirco enixas nobis preces adhibuerint: Nos cum venn. fratribus nostris S. R. E. Cardinalibus negotiis Propagandae Fidei praepositis, mature re communicata et sedulo attentaeque perpensa, memoratorum Antistitum votis obsequendum existimavimus. Quae cum ita sint, de consilio eorundem venn. fratrum nostrorum S. R. E. Cardinalium ecclesiasticam S. Ludovici provinciam in Foederatis Statibus Americae Septentrionalis hisce literis in tres provincias apostolica nostra auctoritate partimur, quarum una nomen retinens provinciae S. Ludovici et hanc sedem habens pro Metropoli, dioeceses Altonensem, Chicagiensem, Dubuquensem, Nashvillensem, S. Iosephi, Peoriensem tamquam suffraganeas, nec non Vicariatus Apostolicos regionum *Kansas* Montanensis et Nebracensis complectatur: altera Milwauchiensem Ecclesiam² pro Metropoli habens tamquam suffraganeas comprehendet dioeceses S. Pauli Marianopolitanam Marquestensem hucusque addictam ecclesiasticae provinciae Cincinnatiensi, item Crossensem Sinus Viridis, et Vicariatum Apostolicum Minnesotae Septentrionalis: tandem tertia pro Metropoli sedem episcopalem Sanctae Fidei in novo Mexico³ et tamquam suffraganeos habeat Vicariatus Apostolicos Coloradensem et Anjonensem [Arizonensem?].

§ 2. Haec volumus, statuimus, edicimus, decernentes praesentes nostras literas firmas, validas et efficaces semper existere et fore, ac illis ad quos spectat, et pro tempore quomodolibet spectabit, in omnibus et per omnia plenissime suffragari, et irritum et inane, si secus super his a quoquam, quavis auctoritate, scienter vel ignoranter contigerit attentari. Non obstantibus nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, Benedicti XIV. praedecessoris nostri recol. mem. super divisione materiarum, aliisque apostolicis ac in universalibus provincialibusque et synodalibus Conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, ceterisque contrariis quibuscumque.

Datum Romae apud S. Petrum, sub annulo Piscatoris, die XII. febr. MDCCCLXXV., pontificatus nostri anno XXIX.

Sources: De Martinis, VI (2), 260-261; *Pii IX Acta*, VII, 20-22.

¹ Archbishop Peter Richard Kenrick.

² John Henni, who was consecrated as the first Bishop of Milwaukee, became its first Archbishop.

³ Bishop Lamy was likewise first Bishop and Archbishop of Santa Fe.

No. 149.

PIUS IX

FEBRUARY 12, 1875

Summary: The Archbishop and Bishops of the Province of St. Louis have informed Us that the number of Catholics and churches in the Diocese of Chicago has increased to such an extent that the good of religion demands a division of the diocese and the erection of a new diocese.

Wherefore, on the advice of the Sacred Congregation, We, hereby, erect a new episcopal See in the city of Peoria, which shall embrace the twenty-two Counties in the State of Illinois, herein described.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Quod venerabiles fratres Archiepiscopus et Episcopi ecclesiasticae provinciae Sancti Ludovici in Foederatis Statibus Americae Septentrionalis, peculiari conventu habito, sensere, nempe Chicagensem dioecesim nimis late patere, atque fidelium tum ecclesiarum numerum eo crevisse, ut e christiana re admodum foret, si eadem Chicagensis dioecesis divideretur novaque per huiusmodi divisionem dioecesis efformaretur, illud simul ac nos memorati Antistites orarunt, ex summi apostolatus munere quo fungimur, praestare maturavimus. Itaque cum venn. fratribus nostris S. R. E. Cardinalibus negotiis Propagandae Fidei praepositis re communicata, omnibusque rationum momentis sedulo attentaeque perpensis, ad novae illius episcopalis sedis erectionem deveniendum existimavimus. Quae cum ita sint, quod Dei gloriae et catholico nomini benevertat, de eorumdem venerabilium fratrum nostrorum consilio auctoritate, nostra apostolica, novam episcopalem sedem in civitate Peoriae tenore praesentium erigimus eique Peoriensis nomen facimus.¹ Huic porro novae Sedi comitatus status *Hillinois* qui nominantur, huc usque Chicagensis Episcopi iurisdictioni subiectos, adsignamus, qui infra scripti, sunt, nimirum Meerer [Mercer], Warren, Henderson, Hancock, Me Donough [McDonough], Schuyler, Kaox [Knox], Fulton

¹ Michael Hurley was chosen for the new See but he declined the mitre. Hurley died as Vicar-General of the diocese in 1898. John Lancaster Spalding was then appointed as the first Bishop of Peoria on November 27, 1876. He was born at Lebanon, Kentucky, on June 2, 1840, was ordained to the priesthood on December 19, 1863, and consecrated bishop on May 1, 1877. He resigned his See on September 11, 1908, and was made titular Archbishop of Scitopolis on October 14, of the same year. He died on August 25, 1916. *CHR*, III (1917), 153-154.

Mason, Iarewell [Tazewell], Georia [Peoria], Kark [Stark], Marshell [Marshall], Woodford, Me Leaa [McLean], Logan, Dewitt, Livingston, Ford, Geatt [Piatt], Champaign, Vermillion, Troguoise [Iroquoise]. At enim mandamus, ut novae istius dioecesis limites accurate designentur in charta chorographica atque in tabulario S. C. Propagandae Fidei asserventur.

§ 2. Haec volumus, praecipimus, decernentes, praesentes nostras litteras firmas, validas et efficaces semper existere et fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis ad quos spectat et protempore quomodolibet spectabit, in omnibus et per omnia plenissime suffragari, et irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari. Non obstantibus, quatenus opus sit, nostrae et Cancellariae Apostolicae regula de iure quaesito non tollendo, Benedicti XIV. praedecessoris nostri recolendae memoriae super divisione materiarum, aliisque apostolicis ac in universalibus provincialibusque et synodalibus Conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, ceterisque contrariis quibuscumque.

Datum Romae apud S. Petrum, sub annulo Piscatoris, die XII. febr. MDCCCLXXV., pontificatus nostri anno XXIX.

Sources: De Martinis, VI (2), 260-261; *Pii IX Acta*, VII, 23-25.

No. 150.

PROPAGANDA TO THE AMERICAN HIERARCHY

NOVEMBER 24, 1875

The problem of Catholic education had been discussed in different Councils of the Church in the United States,¹ and the evil of having Catholic children attend public schools had been discussed. The Second Council of Cincinnati (1858) had declared that "all pastors of souls are bound, under pain of mortal sin, to provide a Catholic school in every parish or congregation subject to them, where this can be done . . .".² The Fathers of the Second Plenary Council of Baltimore (1866), reenacted the decrees of the previous Baltimore Councils and urged all pastors to erect

¹ *CBH*, I Provincial Council, Decrees no. 34-35; II Prov. Council, Decree no. 9; IV Prov. Council, Decree no. 6; *CPB* I, Decree no. 13, p. 47.

² In Burns, J. A., *Growth and Development of the Catholic School System in the United States* (New York, 1912), 186.

Catholic schools in order to obviate the dangers to which Catholic children were exposed by attending public schools. The employment of Sisters as teachers in the schools was highly commended, and parents were admonished to coöperate with their pastors and to contribute towards the erection of parochial schools. At the same time, the bishops urged that all precautions be taken to render as slight as possible the detriment to those Catholic children who had to attend the public schools through force of circumstances.³ Many bishops continued to urge stricter legislation and the matter was carried to Rome⁴ and Rome answered with the following declaration.

Summary: This Congregation has more than once been made aware of the dangers to which Catholic youths are exposed in the public schools. After having ascertained through the American Bishops the reasons why parents send their children to these schools and the remedies for keeping Catholic youths from attending them, the Propaganda referred the matter to the Congregation of the Inquisition. The following instruction is the result of their consultations. The very nature of the instruction given in such schools seems to forbid their frequentation by Catholic children. For the teaching of religious doctrine is excluded, the teachers are taken indiscriminately from among all the sects, and, in many schools, boys and girls must attend the same classes, and sit together, a danger both to faith and morals.

Unless this danger of perversion is made remote, the natural and divine law forbid attendance at such schools.

The bishops must, therefore, prevent the faithful from the contagion of the public schools. They can do so by having Catholic schools erected and seeing that they come up to the standard of the public schools. It would be well if religious teachers could be obtained. These schools could be supported by the offerings of the faithful.

Circumstances may arise when it would be permissible for parents to send their children to the public schools. But whether the cause be sufficient or not, is to be left to the judgment of the bishop.

³ CPB II, *De Juventute instituenda*, 218-227.

⁴ Burns, *op. cit.*, 189.

Great care must be taken to remove any danger of perversion. The use of catechisms is greatly commended, and parents must watch diligently over what is being taught their children. Parents who permit their children to attend public schools without sufficient reasons or safeguards may not be absolved if they remain obstinate.

Pluries S. Congregatio de Propaganda Fide certior facta est, in Foederatis Statibus Americae Septentrionalis catholicae iuventuti e scholis publicis, quas illic vocant, gravissima damna imminere. Tristis hic nuntius effecit, ut praedicta S. Congregatio amplissimis istius ditionis Episcopis nonnullas quaestiones proponendas censuerit, quae partim ad causas, cur fideles sinant liberos suos scholas acatholicas frequentare, partim ad media quibus facilius iuvenes a scholis huiusmodi arceri possint, spectabant. Porro responsiones a laudatis Episcopis exaratae ad Supremam Congregationem Universalis Inquisitionis pro natura argumenti delatae sunt, et negotio diligenter explorato fer. iv. die 30 Iunii 1875 per Instructionem sequentem absolendum ab Emis. Patribus iudicatum est, quam exinde SSmus. D. N. fer. iv. die 24 Novembris praedicti anni adprobare, ac confirmare dignatus est.

Porro in deliberationem cadere imprimis debebat ipsa iuventutis instituendae ratio scholis huiusmodi propria atque peculiaris. Ea vero S. Congregationi visa est etiam ex se periculi plena, ac perquam adversa rei catholicae. Alumni enim talium scholarum cum propria earumdem ratio omnem excludat doctrinam religionis, neque rudimenta fidei addiscent, neque ecclesiae instruentur praeceptis, atque adeo carebunt cognitione homini quam maxime necessaria, sine qua christiane non vivitur. Enim vero in eiusmodi scholis iuvenes educantur iam inde a prima pueritia, ac propemodum a teneris unguiculis: qua aetate, ut constat, virtutis aut vitii semina tenaciter haerent. Aetas igitur tam flexibilis si absque religione adolescat, sane ingens malum est. Porro autem in praedictis scholis utpote seiunctis ab Ecclesiae auctoritate, indiscriminatim ex omni secta magistri adhibentur, et ceteroquin ne perniciem afferant iuventuti nulla lege cautum est, ita ut liberum sit errores et vitiorum semina teneris mentibus infundere. Certa item corruptela ex hoc impendet quod in iisdem scholis aut saltem in pluribus earum utriusque sexus adolescentes et audiendis lectionibus in idem conclave congregantur, et sedere in eodem scammo masculi iuxta feminas iubentur. Quae omnia efficiunt, ut iuventus misere exponatur damno circa fidem, ac mores periclitentur.

Hoc autem periculum perversionis nisi e proximo remotum fiat, tales scholae tuta conscientia frequentari nequeunt. Id vel ipsa clamat lex naturalis et divina. Id porro claris verbis summus Pontifex edixit, Friburgensi quondam Archiepiscopo die 14 Iulii 1864 ita scribens: "Certe quidem ubi in quibusque locis regionibusque perniciosissimum huiusmodi vel susciperetur vel ad exitum perduceretur consilium expel-

lendi a scholis Ecclesiae auctoritatem, et iuventus misere exponeretur damno circa fidem, tunc Ecclesiae non solum deberet intentissimo studio omnia conari, nullisque curis unquam parcere, ut eadem iuventus necessariam christianam institutionem et educationem habeat, verum etiam cogeretur omnes fideles monere, eisque declarare, eiusmodi scholas Ecclesiae catholicae adversas haud posse in conscientia frequentari." Et haec quidem, utpote fundata iure naturali ac divino generale quoddam enuntiant principium, vimque universalem habent, et ad eas omnes pertinent regiones, ubi perniciosissima huiusmodi iuventutis instituendae ratio infeliceiter invecata fuerit.

Oportet igitur, ut Sacrorum Antistites, quacumque possint ope atque opera, commissum sibi gregem arceant ab omni contagione scholarum publicarum. Est autem ad hoc omnium consensu nil tam necessarium, quam ut catholici ubique locorum proprias sibi scholas habeant, easque publicis scholis haud inferiores. Scholis ergo catholicis sive condendis ubi defuerint sive amplificandis, et perfectius instruendis parandisque, ut institutione ac disciplina scholas publicas adaequent, omni cura prospiciendum est. Ac tam sancto quidem exequendo consilio tamque necessario haud inutiliter adhibebuntur, si Episcopis ita visum fuerit, e Congregationibus religiosis sodales sive viri sive mulieres; sumptusque tanto operi necessarii, ut eo libentius atque abundantius suppeditentur a fidelibus, opportune oblata occasione, sive pastoralibus litteris sive concionibus sive privatis colloquiis serio necesse est ut ipsi commonefiant, sese officio suo graviter defuturos, nisi omni qua possunt cura impensaque scholis catholicis providerint. De quo potissimum monendi erunt quotquot inter catholicos ceteris praestant divitiis ac auctoritate apud populum; quique comitiis ferendis legibus sunt adscripti. Et vero in istis regionibus, nulla obstat lex civilis, quominus catholici ut ipsis visum fuerit propriis scholis prolem suam ad omnem scientiam ac pietatem erudiant. Est ergo in potestate positum ipsius populi catholici ut feliciter avertatur clades, quam scholarum illic publicarum institutum rei catholicae minuitur. Religio autem ac pietas ne e scholis vestris expellantur, id omnes tandem persuadeant sibi plurimum interesse, non singulorum tantum civium ac familiarum, verum etiam ipsius florentissimae Americanae nationis, quae tantam de se spem Ecclesiae dedit.

Ceterum S. Congregatio non ignorat talia interdum rerum esse adiuncta, ut parentes catholici prolem suam scholis publicis committere in conscientia possint. Id autem non poterunt, nisi ad sic agendum sufficientem causam habeant; ac talis causa sufficiens in casu aliquo particulari utrum adsit nec ne, id conscientiae ac iudicio Ordinariorum relinquendum erit; et tunc ea plerumque aderit, quando vel nulla praesto est schola catholica, vel quae suppetit parum est idonea erudiendis convenientur conditioni suae congruenterque adolescentibus. Tunc autem ut scholae publicae in conscientia adiri possint, periculum perversionis cum propria ipsarum ratione plus minusve nunquam non

coniunctum, opportunis remediis cautionibusque fieri debet ex proximo remotum. Est ergo imprimis videndum, utrumne in schola de qua adeunda quaeritur, perversionis periculum sit eiusmodi quod fieri remotum plane nequeat: velut quoties ibi aut docentur quaedam, aut aguntur catholicae doctrinae bonisve moribus contraria, quaeque citra animae detrimentum neque audiri possunt, nedum peragi. Enim vero tale periculum, ut per se patet, omnino vitandum est cum quocumque damno temporali etiam vitae. Debet porro iuventus, ut committi scholis publicis in conscientia possit, necessariam christianam institutionem et educationem, saltem extra scholae tempus, rite ac diligenter accipere. Quare parochi ac missionarii, memores eorum quae providentissime hac de re Concilium Baltimoreense constituit, catechesibus diligenter dent operam, iisque explicandis praecipue incumbant veritatibus fidei ac morum, quae magis ab incredulis et heterodoxis impetuntur; totque periculis expositam iuventutem impensa cura, qua frequenti sacramentorum usu, qua pietate in B. Virginem studeant communire, et ad religionem firmiter tenendam etiam atque etiam excitare. Ipsi vero perentes, quive eorum loco sunt, liberis suis sollicite invigilent, ac vel ipsi per se vel, si minus idonei ipsi sint, per alios de lectionibus auditis eos interrogent, libros iisdem traditos recognoscant, et si quid noxium ibi deprehenderit, antidota praebeant, eosque a familiaritate et consortio discipulorum, a quibus fidei vel morum periculum imminere possit, seu quorum corrupti mores fuerint, omnino arceant atque prohibeant. Hanc autem necessariam christianam institutionem et educationem liberis suis impertire quotquot parentes negligunt; aut qui frequentare eos sinunt tales scholas in quibus animarum ruina evitari non potest, aut tandem qui, licet schola catholica in eodem loco idonea adsit, apteque instructa, et parata, seu quamvis facultatem habeant in alia regione prolem catholice educandi, nihilominus committunt eam scholis publicis, sine sufficiente causa, ac sine necessariis cautionibus, quibus periculum perversionis e proximo remotum fiat: eos si contumaces fuerint absolvi non posse in sacramento poenitentiae ex doctrina morali catholica manifestum est.

Haec instructio probata fuit feria iv., 24 Novembris 1875.

Sources: *CPB* III, 279-282; *Collectanea*, II, no. 1449, p. 94.

Translated in Jenkins, T. J., *Christian Schools* (Baltimore, 1889), 128-133.

No. 151.

PIUS IX

JANUARY 11, 1876

In the eight years preceding the Third Plenary Council of Baltimore, the Holy See created eight new dioceses in¹ the United States, and established the Archdiocese of Chicago and the Vicariate-Apostolic of Dakota.² With the creation of Manchester in 1884, the Church in the East was well established. After that date, practically all of the new Sees created were in the West or Far West.

Summary: The Archbishop and Bishops of the Province of Philadelphia have petitioned Us to divide the extensive Diocese of Pittsburgh and to erect there a new episcopal See.

Wherefore, with the advice of the Sacred Congregation, We, hereby separate from the Diocese of Pittsburgh, the Counties of Huntingdon, Blair, Bedford, Cambria, Indiana, Westmorland, Butler, Armstrong and part of Allegheny. This detached territory We erect into a separate Diocese, whose episcopal See shall be in the city of Allegheny. The new See shall be suffragan to Philadelphia.

PIUS PP. IX.

ad futuram rei memoriam.

§1. Quod venerabiles fratres Archiepiscopus et Episcopi ecclesiasticæ provinciae Philadelphiensis in Foederatis Statibus Americae Septentrionalis enixis nos precibus orarunt, ut Vitsburgensem [Pittsburgh] dioecesim latissime patentem, quo ecclesiastico regimini et fidelium per ea loca degentium necessitatibus satius expeditiusque occurratur, in duas dividere, et novam ita episcopalem sedem erigere dignemur, illud ut mature praestemus nos admonet summi apostolatus munus, quod immeriti licet obimus. Re igitur cum venerabilibus fratribus nostris S. R. E. Cardinalibus negotiis Propagandæ Fidei præpositis

¹ Namely, Allegheny, Leavenworth, Kansas City, Davenport, Trenton, Grand Rapids, Manchester and Helena. The writer has been unable to obtain from the chanceries the Bulls founding the Sees of Kansas City, Davenport, and Trenton.

² The document establishing the Vicariate of Dakota has not been found.

³ A list of the dioceses founded between 1789 and 1922, is given by Bishop Corrigan in *Records*, XXXV (1924), 307-311.

communicata, et omnibus rationum momentis sedulo attenteque perpensis, quod Religioni nostrae SSmae et rei christianae benevertat, de memoratorum venerabilium fratrum consilio, haec, quae infra scripta sunt, apostolica nostra auctoritate decernimus. Distrahimus ab dioecesi Vitsburgensi tractus, comitatus vulgo dictus *Huntimpton* [Huntington], *Blair*, *Bedford*, *Cambria*, *Indiana*, *Westmorland*, *Butler*, *Armstrong*, una cum ea parte comitatus *Allegheny*, quae continet civitatem Alleghenensem, et oppidum *Sharpsburg* quae pars a ripa fluminis *Allegheny* incipit et recta linea comitatum *Butler* attingit. Ex hisce tractibus seu comitatibus e Vitsburgensi dioecesi seiunctis, novam episcopalem sedem efformamus, proprio Antistiti committendam, quae episcopalem suam sedem habeat in civitate *Allegheny*⁴ ubi sita est ecclesia pro cathedrali assumenda, a praedicta civitate Alleghenensis nominetur; sitque suffraganea metropolitae Philadelphiensis. Volumus porro ut nova huiusmodi Alleghenensis ecclesia singulis et universis iuribus, privilegiis, praerogativis et honoribus gaudeat, quibus aliae episcopales ecclesiae fruuntur.

§ 2. Haec statuimus, volumus, edicimus, decernentes praesentes nostras literas firmas fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis ad quos spectat et pro tempore quandocumque spectabit in futurum, in omnibus et per omnia plenissime suffragari, sicque in praemissis per quoscumque iudices, ordinarios et delegatos, etiam causarum palatii nostri apostolici auditores, sublata eis quavis aliter iudicandi et interpretandi facultate et auctoritate, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari. Non obstantibus nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, Benedicti XIV. praedecessoris nostri recol. memor. super divisione materiarum aliisque apostolicis ac in universalibus provincialibusque et synodalibus Conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, ceterisque contrariis quibuscumque.⁵

Datum Romae apud S. Petrum sub annulo Piscatoris die xi. ian. MDCCCLXXVI., pontificatus nostri anno xxx.

Sources: De Martinis, VI (2), 287; *Pii IX Acta*, VII, 166-168.

⁴ Michael Domenec, first Bishop of Allegheny, was born at Ruez, Spain, on December 27, 1816. He entered the Lazarist Congregation, came to the United States in 1838, and was ordained to the priesthood on June 29, 1839. He was consecrated Bishop of Pittsburgh on December 9, 1860, and when the diocese was divided, was transferred to Allegheny. He resigned on July 27, 1877, and returned to Spain where he died on January 7, 1878. Lambing, *History of the Catholic Church in the Dioceses of Pittsburgh and Allegheny*; Clarke, *Lives of Deceased Bishops*, III, 583-591.

⁵ The diocese was suppressed on July 1, 1889, and the territory reunited to Pittsburgh.

No. 152.

PIUS IX

MAY 22, 1877

Summary: We have been informed that the good of religion would better be served if the Vicariate-Apostolic of Kansas were erected into a diocese.

Wherefore, on the advice of the Sacred Congregation, We hereby erect the above-mentioned Vicariate into a Diocese embracing the territory of Kansas. The episcopal See shall be in the city of Leavenworth and shall be suffragan to St. Louis.

PIUS PP. IX.

ad futuram rei memoriam.

§ 1. Expositum est nobis, plurimum catholici nominis emolumento fore, si in ditioe seu statu, vulgo Kamsas [Kansas] qui nominatur, Vicariatus Apostolicus plurimis abhinc annis sub Orientalium Plagarum Montium Saxosorum titulo constitutus,¹ totumque statum Kamsas [Kansas] complectens, servatis limitibus, quibus Vicariatus idem circumscribitur, in veram proprieque dictam dioecesim per nos erigeretur. Quod ubi acceperimus, ex nostro pastoralis munere rem communicare maturavimus cum venn. fratribus nostris S. R. E. Cardinalibus negotiis Propagandae Fidei praepositis. Cum itaque omnibus sedulo attenteque perpensis, ad Vicariatus Apostolici, de quo habita supra mentio est, in dioecesim erectionem deveniendum visum fuerit, haec, quae infra scripta sunt, decernimus interposita apostolica nostra auctoritate. Vicariatum Apostolicum Orientalium Plagarum Montium Saxosorum qui nominantur, in ditioe seu statu Kamsas [Kansas] penes Foederatos Status Americae Septentrionalis, iamdiu constitutum, in vere dictam ac proprio Episcopo committendam dioecesim vi praesentium apostolica nostra auctoritate erigimus et constituimus, his, quae infra scriptae sunt, conditionibus ac legibus. Primum, ut novae istius Episcopalis Ecclesiae in civitate Leavenworthensi, vulgo Leavenworth sedes sit; deinde, ut eadem Episcopalis Ecclesia Metropolitanae Sancti Ludovici sit suffraganea.²

¹ Cf. *supra*, Document 94, on the establishment of the Vicariate-Apostolic of the Indian Territory.

² The first Bishop of Leavenworth, Louis M. Fink, was born at Ratisbon, Bavaria, on July 12, 1834. He joined the Benedictine Order and was ordained to the priesthood on May 28, 1857. He was consecrated titular Bishop of Eucarpia and Coadjutor to Bishop Miede (Vicar-Apostolic of the Indian territory). He succeeded Miede as Vicar-Apostolic and was

§ 2. Hoc volumus, mandamus, edicimus, decernentes praesentes nostras literas firmas fore, suosque plenarios et integros effectus sortiri et obtinere, ac illis ad quos spectat vel pro tempore quandocumque spectabit, in omnibus et per omnia plenissime suffragari, sicque in praemissis per quoscumque iudices ordinarios et delegatos, etiam causarum palatii nostri apostolici auditores, iudicari et definiri debere, ac irritum et inane, si secus super his a quoquam quavis auctoritate scienter vel ignoranter contigerit attentari.

§ 3. Non obstantibus, quatenus opus sit, nostra et Cancellariae Apostolicae regula de iure quaesito non tollendo, aliisque apostolicis ac in universalibus provincialibusque et synodalibus Conciliis editis generalibus vel specialibus constitutionibus et ordinationibus, nec non Vicariatus Apostolici, quem memoravimus, etiam iuramento, confirmatione apostolica, vel quavis firmitate alia roboratis statutis et consuetudinibus, privilegiis quoque, indultis et literis apostolicis, superioribus et personis, sub quibuscumque tenoribus et formis, ac cum quibusvis etiam derogatoriis derogatoriis et aliis decretis in genere vel in specie in contrarium praemissorum quomodolibet concessis, approbatis et innovatis; quibus omnibus et singulis, illorum tenore praesentium pro plene et sufficienter expressis ac de verbo ad verbum insertis habentes, illis alias in suo robore permansuris, ad praemissorum effectum, hac vice dumtaxat, specialiter et expresse derogamus, caeterisque contrariis quibuscumque.

Datum Romae apud S. Petrum, sub annulo Piscat., die xxii. maii mdccclxxvii., pontificatus nostri anno xxxi.

Sources: De Martinis, VI (2), 336-337; *Pii IX Acta*, VII, 326-328.

appointed to the See of Leavenworth in 1877. He died on March 17, 1904. *CHR*, I, 388; Clarke, *op. cit.*, 270-273.

PART VII
PONTIFICATE OF LEO XIII
(February 20, 1878–October 25, 1884)

LEO XIII

SEPTEMBER 21, 1880

Leo XIII came to the throne of St. Peter on February 20, 1878. His attachment for the Church in the United States grew with the years, and during the short space of his reign included in this present study, he raised Chicago to the dignity of a metropolitan See, created the Dioceses of Kansas City, Davenport, Trenton, Grand Rapids, Manchester, and Helena, convoked the Third Plenary Council of Baltimore, and established the American College in Rome as a pontifical institute.

Summary: Having absolved James Duggan on account of his grave infirmity, from the ties which bound him to the Church of Chicago, and having considered the richness of the Church there, We have resolved to raise the See to the dignity of a metropolitan. This We do by the present apostolic letters and assign the Sees of Alton and Peoria as its suffragans. At the same time We have thought fit to change the limits of the new Archdiocese by detaching from it the Counties of La Salle, Bureau, Putnam, Henry, and Rock Island and adding them to the Diocese of Peoria.

LEO PP. XIII

Ad futuram rei memoriam

Postquam Venerabilem Fratrem Jacobum Duggan¹ a vinculo, quo tenebatur, Chicagiensis Ecclesiae ob gravem diuturnamque ejus infirmitatem absolvimus, eademque ideo Ecclesia suo mansit viduata Pastore, considerantes Chicagiensis Civitatis celebritatem, Christifidelium ipsa in Diocesi degentium multitudinem, liberamque, qua inibi, uti par est,

¹ Bishop James Duggan, fourth Bishop of Chicago, was born at Maynooth, Ireland, on May 22, 1825, emigrated to the United States in 1842, was ordained to the priesthood on May 29, 1847, and was appointed Coadjutor to St. Louis on January 9, 1857. In March, 1858, he was sent to administer the vacant See of Chicago and was appointed to the See on January 21, 1859. He was removed from active administration of the diocese on April 14, 1869, and died in St. Louis, on March 27, 1899. *CHR*, III, 152; Phillips, "Bishop Duggan and the Chicago Diocese", in *Illinois Catholic Historical Review*, II, 365-368.

Ecclesia fruitur, temporalia bona possidendi facultatem, in id consilii venimus, ut Episcopalem Sedem Chicagiensem ad Metropolitanæ dignitatem vehamus. Itaque suffragantibus quoque Venerabilibus Fratribus Nostis S. Romanæ Ecclesiæ Cardinalibus consilio Propagandæ Fidei praepositis, memoratam Chicagiensem Ecclesiam in Archiepiscopalem Sedem² Apostolica Auctoritate Nostra, harum Litterarum vi, evehimus, eique dioceses Altonensem et Peorensem suffraganeas assignamus et constituimus. Verum novi hujusce Archiepiscopatus fines seu limites aliquantulum immutamus; a meridionali enim illius territorii parte Comitatus La Salle, Bureau, Putnam, Henry et Rock Island divellimus et distrahimus, eosque Peorensi adjicimus Diocesi, cujus Ordinarius tum ob distantiam, tum ob minorem Fidelium numerum spiritualibus eorundem Comitatum necessitatibus facilius et satius consulere poterit. Haec constituimus et edicimus, decernentes has Litteras firmas, validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere; atque illis, ad quos spectat et in futurum spectabit, in omnibus et per omnia plenissime suffragari; sicque in praemissis per quoscumque Judices ordinarios et delegatos, etiam causarum Palatii Apostolici Auditores, Sedis Apostolicae Nuntios, et S. Romanae Ecclesiæ Cardinales etiam de Latere Legatos, sublata eis et eorum cuilibet quavis aliter judicandi et interpretandi facultate et auctoritate, judicari ac definiri debere, atque irritum et inane si secus super his a quoquam, quavis auctoritate scienter vel ignoranter contigerit attentari. Non obstantibus Nostra et Cancellariae Apostolicae regula de jure quaesito non tollendo, aliisque Constitutionibus et Ordinationibus Apostolicis, necnon dictae Chicagiensis Ecclesiæ aliisque quibusvis etiam juramento, confirmatione Apostolica, vel quavis firmitate alia roboratis statutis consuetudinibus, ceterisque licet speciali atque individua mentione ac derogatione dignis in contrarium facientibus quibuscumque. Datum Romae apud S. Petrum sub Annulo Piscatoris, die XXI Septembris MDCCCLXXX. Pontificatus Nostri Anno Tertio.

Source: Kirkfleet, C. J., *Life of Patrick Augustine Feehan* (Chicago, 1922), Appendix, 376-378.

² Bishop Patrick Feehan was appointed as first Archbishop of Chicago. He was born at Spring Hill, County Tipperary, Ireland, on August 29, 1829, came to the United States in 1852, and was ordained to the priesthood on November 1, 1852. He was consecrated Bishop of Nashville on November 1, 1865, and died in Chicago on July 12, 1902. *CHR*, II, 288; Kirkfleet, *Life of Feehan*.

No. 154.

LEO XIII

MAY 19, 1882

Summary: The number of the faithful in the Diocese of Detroit has increased to such an extent that one bishop can scarcely give sufficient and proper attention to them. Therefore, the Bishops of the Province of Cincinnati have petitioned Us to divide the Diocese of Detroit and to erect a new diocese there. Wherefore, on the advice of the Sacred Congregation, We hereby detach from the Detroit Diocese, the northern part of lower Michigan and erect the territory thus separated into a new diocese. The episcopal See shall be in the city of Grand Rapids, and shall be suffragan to Cincinnati.

LEO PP. XIII.

ad futuram rei memoriam.

Nobis Aeterni Pastoris in beatissimi Petri heic in terris vices gerentibus, id praeceipuum est, ut Dominici gregis necessitatibus occurramus, eoque multiplicato, et multiplicemus Pastores, qui ei advigilent, ne quid illi capiat detrimenti, illumque pascant in uberrimis pascuis, et in montibus Israel. Iam quum ob auctum Catholicorum numerum, continuumque fidelium ad septentrionalis Americae regiones accessum, Detroitensis dioecesis in foederatis ditionibus ab uno tantum Episcopo, haud amplius necessaria sedulitate, ac diligentia possit gubernari, Venerabiles Fratres Coadjutor Archiepiscopi, omnesque ecclesiasticae provinciae Cincinnatiensis Episcopi die xv Novembris superiore anno conventu habito, unanimiter a Nobis postularunt, ut in spirituale illorum fidelium bonum et commodum Detroitensem dioecesim supradictam in duas dividere, novamque in superiore eiusdem dioecesis parte dioecesim erigere, atque instituere velimus. Hanc non levis momenti rem, cum Venerabilibus Fratribus Nostreis S. R. E. Cardinalibus christiano propagando nomini praepositis pertractavimus, riteque omnibus et accurate consideratis et perpensis huiusmodi postulato annuendum existimavimus. Quapropter de consilio eorumdem Venerabilium Fratrum Nostrorum, Apostolica auctoritate Nostra, a Detroitensi dioecesi partem septentrionalem peninsulae inferioris status Michigan, omnino seiungimus, eamque in novam dioecesim Metropolitanae Ecclesiae Cincinnatiensi suffraganeam erigimus, atque instituimus, eiusdemque dioecesis Episcopalem Sedem in civitate Grand-Rapids¹ appellata, constituimus eique a flumine rapido nomen facimus, ita ut hanc dioecesim Fluminis Rapidi nun-

¹ Henry Joseph Richter was appointed to the new See. He was born at Neuenkirchen, Germany, on April 9, 1838, came to the United States in

cupari decernimus. Sequentibus autem terminis novam hanc dioecesim Fluminis Rapidi circumscriptam statuimus, nempe ad meridiem a limitibus meridionalibus Comitatum Ottawa, Kent, Montealm, Gratiot et Saginaw, ad orientem a limitibus orientalibus Comitatum Saginaw et Bay nec non a Sinu Saginaw, et lacu Huron; ad septentrionem a parte septentrionali freti Machinaw (Mackinaw Straights [sic!]); ad occidentem ab insulis Garden Island, Beaver Island, Maritow Islands, quae ad novam pertinebunt dioecesim, atque a limitibus orientalibus loci Michigan. Haec decernimus, statuimus et volumus, non obstantibus Nostra et Cancellariae regula de jure quaesito non tollendo, nec non fel. rec. Benedicti XIV Praedecessoris Nostri super divisione materiarum, aliisque Constitutionibus et ordinationibus Apostolicis, ceterisque, licet speciali atque individua mentione ac derogatione dignis in contrarium facientibus quibuscumque.

Datum Romae apud S. Petrum sub anulo Piscatoris die XIX. Maii MDCCCLXXXII., Pontificatus Nostri anno quinto.

Source: *Leonis XIII Acta*, III, 69-72.

No. 155.

LEO XIII TO CARDINAL McCLOSKEY AND SUFFRAGANS

NOVEMBER 20, 1883

The Fourth Provincial Council of New York convened on September 23 and closed on September 30, 1883. The Fathers of the Council received the following papal Brief in reply to the letter which they sent to Leo XIII together with the *Acta* of the Council.

Summary: We have received your affectionate letter together with the *Acta* of the Fourth Provincial Council of New York. The Sacred Congregation, to which We referred the *Acta* will in due time send you an answer. In the meantime, We hasten to congratulate you on your great zeal for religion and your reverence for this Holy See. This has been a source of great consolation to Us and confirms Our faith and trust that religion will increase daily in the United States, and We pray God to bless your efforts in the ministry.

1854, and was ordained to the priesthood on June 10, 1865. He was consecrated Bishop of Grand Rapids on April 22, 1883. He died on December 26, 1916. O'Donnell, *Catholic Hierarchy*, 119.

*Summi Pontificis Leonis XIII. Responsum ad Patres Concilii.*¹

LEO P. P. XIII

*Dilecte Fili Noster et Venerabiles Fratres, Salutem et Apostolicam
Benedictionem:*

Excepimus amantissimas litteras vestras una cum decretis Concilii Provincialis Neo-Eboracensis Quarti, quod elapso Septembri a Vobis habitum fuit, nec non egregias animorum vestrorum declarationes, quibus eadem decreta Auctoritati Nostrae Apostolicae subjecistis. Haec Nos Congregationi Nostrae Fidei Propagandae praepositae expendenda de more comisimus, a qua, postquam de ipsis ad Nos retulerit, congruum Vobis responsum reddetur. Interea facere non possumus, Dilecte Fili Noster et Venerabiles Fratres, quin zelo Vestro, quo hanc partem pastoralis sollicitudinis implevistis, observantiae et venerationi quam erga S. Petri Cathedram in iis palam et publice recipiendis quae in Vaticano Concilio definita sunt, luculenter declarastis, egregiis sensibus quibus obsequium vestrum erga supremam potestatem quam in Ecclesia, Deo sic disponente, obtinemus, diserte professi estis, amplissimas tribuamus laudes, nec non communes curas vestras prudentiamque commendemus, quas in puritate et integritate catholicae doctrinae servanda, in sacra disciplina et Ecclesiae legibus custodiendis praeclare exhibuistis. Haec profecto magnae Nobis consolationi fuerunt, ac fiduciam illam confirmant quam firmissimam habemus, nempe Deo auxiliante, ac Vobis unanimi studio connitentibus, fidem ac religionem in istis regionibus felicia incrementa in dies magis suscepturam, ex quibus optimi fructus in publicam etiam prosperitatem dimanabunt. Hanc spem intimo animo foventes auctorem bonorum omnium Deum ex corde rogamus, ut iis quae in nomine Ejus plantastis et rigastis incrementum donet, atque ita sua gratia fecundet opera vestra, eorumque qui Vobis ducibus sacro ministerio funguntur, ut in istis Dominei Agri partibus laeta et copiosa justitiae et salutis messis feliciter exurgat. Praecipuam demum dilectionem Nostram Vobis, Dilecte Fili Noster et Venerabiles Fratres, ultro declarantes, Apostolicam Benedictionem, auspicem omnium gratiarum, tum Vobis singulis tum universis, tum Dilectis Filiis, Clero et Fidelibus omnibus, quibus praesidetis, peramanter in Domino impertimus.

Datum Romae apud S. Petrum die 20a Novembris, An. 1883, Pontificatus Nostri Anno Sexto.

Source: *Acta et Decreta Concilii Provincialis Neo-Eboracensis IV* (New York, 1883).

¹ The suffragan Bishops of New York were: Francis McNeirney (Albany), Stephen Ryan (Buffalo), John Loughlin (Brooklyn), W. M. Wigger (Newark), Bernard McQuaid (Rochester), Edgar Wadhams (Ogdensburg), and Michael O'Farrell (Trenton).

No. 156.

LEO XIII

JANUARY 4, 1884

Preparations for the Third Plenary Council of Baltimore were made in advance by a committee called to Rome in October, 1883, for the purpose of discussing with the guidance of the Holy See what matters were to be brought to the attention of the Council. Cardinal McCloskey who was seventy-four-years old at the time was unable to attend the Council in person, and therefore Leo XIII directed the following Apostolic Letter, convoking the Council, to Archbishop Gibbons, and appointed him Apostolic Delegate.

Summary: On the advice of the Sacred Congregation de Propaganda Fide and the petition of the Bishops of the United States, We have decreed that these same bishops should hold a Plenary Council during the month of November following. Since Cardinal McCloskey is detained by illness, We appoint you as Apostolic Delegate to convoke the Council and to preside over it. We command that the acts and decrees of the Council be sent to Us as soon as possible for revision and approval.

Venerabili Fratri Jacobo Gibbons, Archiepiscopo Baltimorensi

LEO PP. XIII.

Venerabilis Frater, Salutem et Apostolicam Benedictionem.

Rei Catholicae incrementum, Ecclesiarum utilitatem et fidelium comoda ex debito Apostolicae servitutis Nostrae qua patet orbis intendentes, de Venerabilium Fratrum Nostrorum S. R. E. Cardinalium negotiis propagandae fidei praepositorum consilio, auditisque Venerabilibus Fratribus Foederatarum Septentrionalis Americae Ditionum Episcopis, Plenarium Concilium,¹ mense Novembri, hoc vertente anno,

¹ Following is the Decree of Propaganda recognizing the Council:

Ex quo Concilium Plenarium Secundum Baltimorense habitum fuit, Catholica Ecclesia in Foederatis Americae Septentrionalis Statibus majora coepit incrementa ac fidelium numerus mirum in modum excrevit. Plures Sedes Episcopales ac novae Provinciae Ecclesiasticae erectae; strenua Episcoporum opera sacrae aedes aedificatae, ex quibus aliquae magnitudine et splendore cum insignioribus facile comparantur; plurimaeque alia publicae beneficentiae Instituta exorta, tum calamitatibus sublevandis, tum inopiae sustentandae, tum deviis ad rectum iustitiae tramitem reducendis. Ad haec

Baltimorae per eosdem Sacrorum Antistites habendum decrevimus, ut iidem Episcopi, collatis consiliis, quae ad evellendos, funditusque tollendos, si qui irrepserint, abusus, ad ecclesiasticam disciplinam confirmandam, ad Dioecesium statum ita ordinandum, ut propius ad commune Ecclesiae jus, quantum fieri possit, accedat, et ad Catholicam religionem latius propagandam provehendamque opportuna in Domino judicaverint, proponant. Jam vero, quum Venerabilis Frater Noster Joannes S. R. E. Presbyter Cardinalis McCloskey, ex dispensatione Apostolica, Archiepiscopus Neo-Eboracensis, adversa detineatur valetudine, Tibi, Venerabilis Frater, ejus eximia pietas, doctrinae ac prudentiae laus, singularisque erga Sanctam Sedem Apostolicam fides et observantia perspecta Nobis est et explorata, praefatum indicendi convocandique Concilium, eique praesidendi munus, Apostolica Auctoritate Nostra, harum Litterarum vi, delegamus. Volumus vero ac praecipimus,

plurimae religiosae Congregationes ubique diffusae, quae clero saeculari zelo valde commendabili praedito et arduis laboribus distento, manus auxiliatrices magna cum utilitate praestant. Enim vero SSmus. Dominus Noster Leo divina providentia PP. XIII. qua sollicitudine omnibus universi orbis ecclesiis novat operam, ad hanc lectissimam dominici gregis partem oculos convertit eo consilio, ut illius Praesules ad novam Plenariam Synodum habendam invitaret, in qua spectata praesenti Christianitatis illius conditione, ad res ecclesiasticas ordinatius evolvendas ac regendas opportuna ederentur decreta. Cum itaque jam omnia ad illam celebrandam necessaria ac peropportuna praesto essent mense Novembri 1884 Archiepiscopi omnes et Episcopi Baltimoram convenerunt ac praeside ex Apostolica Delegatione Rmo. D. Jacobo Gibbons, Archiepiscopo Baltimorensi, Sacra Synodus solemniter habita fuit, et indefesso Patrum labore quamplurima tum ad ecclesiasticam disciplinam firmandam, tum ad abusus evellendos, tum ad catholicae juventutis sive laicae sive clericalis institutionem fovendam, tum ad Episcoporum electionem ac rerum temporalium administrationem magis magisque ordinandam, tum denique ad fidem conservandam et dilatandam valde utilia constituta, eaque omnia ad hanc Sacram Congregationem, ut ejus examini subjicerentur, transmissa sunt. Itaque Emi. Patres Sacro Consilio Christiano Nomini Propagando praepositi in generalibus comitiis habitis diebus 17, 24, 27, et 31 mensis Augusti, nec non die 5 Septembris anni 1885, diligenti inquisitione adhibita, atque omnibus accurato studio debitaque judicii maturitate pensatis, Decreta ejusdem Concilii expenderunt et, nonnullis emendationibus ac modificationibus adjectis, eadem ut ab omnibus ad quos spectat inviolabiliter observentur recognoverunt.

Hanc autem S. Congregationis sententiam Summo Pontifici Leoni XIII. a R. P. D. Dominico Iacobini ejusdem S. Congregationis Secretario in Audientia diei 10 Septembris 1885 relata, Sanctitas Sua benigne approbare dignata est, et super his praesens Decretum expediri mandavit.

Datum Romae ex Aedibus Sacrae Congregationis de Propaganda Fide, die 21 Septembris, Anno 1885.

CPB III, xv-xvi.

ut hujusce Concilii acta omnia et decreta ad Sanctam Sedem Apostolicam, pro eorumdem revisione et recognitione quam primum mittantur. Haec decernimus et jubemus, non obstantibus, licet speciali atque individua mentione ac derogatione dignis, in contrarium facientibus quibuscumque.

Datum Romae apud S. Petrum sub Annulo Piscatoris, die iv Januarii MDCCCLXXXIV. Pontificatus Nostri Anno Sexto.

Source: *CPB* III, xix-xx.

No. 157.

LEO XIII

MARCH 7, 1884

Summary: The prelates of the Province of Oregon have petitioned Us to erect the Vicariate-Apostolic of Montana into a diocese.

Wherefore, on the advice of the Sacred Congregation, We, hereby, erect the aforesaid vicariate into a new diocese. The episcopal See shall be in the city of Helena. The cathedral church, for the time being, shall be the Church of the Most Sacred Hearts.

LEO PP. XIII.

Ad futuram rei memoriam.

Personam Beatissimi Petri Principis Apostolorum, nullis quidem meritis Nostris, gerentes, ex suprema eidem Petro divinitus tradita potestate, novas erigimus dioeceses, quo utilius uberiusque per Episcopos iisdem dioecesibus praepositos, fidelium necessitatibus commoditatibusque consulere possimus. Aucto et crescente in dies Christiani fidelium numero in territorio, quod, in foederatis Americae Septentrionalis ditionibus positum, vulgari nomine "Montana" appellatur, Oregonensis provinciae ecclesiasticae Sacrorum Antistites, collatis consiliis, iudicarunt e re catholica et maiori illorum fidelium emolumento fore, si Apostolicus Vicariatus Montanensis in dioecesim constitueretur, quam sententiam VV. FF. NN. S. E. R. Cardinales christiano nomini propagando praepositi, exposuerunt. Ab eorumdem VV. FF. NN. consilio re diligenter accurateque perpensa, inspectaque fidelium exinde utilitate, suplicatum est Nobis, ut Montanensem Vicariatum Apostolicum in dioecesim erigere auctoritate Nostra velimus. Nos de universi dominici gregis bono solliciti huiusmodi annuentes supplicationibus, Vicariatum Apostolicum Montanensem, in foederatis Americae Septentrionalis ditionibus positum, Apostolica auctoritate Nostra, in dioecesim

erigimus atque instituimus, novaeque huius diocesis Episcopalem sedem in civitate, cui "Helena" nomen, constitutam volumus et ab eadem sede Helenensem dioecesim¹ dici iubemus. Cathedralis autem Ecclesia Helenensis dioecesis, donec aliter provideatur, inita conventionem cum sodalibus societatis Jesu, erit templum in honorem Sacratissimorum Cordium dicatum. Eosdem denique ac praedicti Vicariatus Apostolici et civilis iurisdictionis huic Helenensi dioecesi constituimus fines, videlicet, ad septentrionem, gradum quadragesimum nonum latitudinis septentrionalis, quo foederatae ditiones dividuntur a regione Canadensi; ad Orientem, gradum longitudinis occidentalis vigesimum septimum a meridiano civitatis Washington computandum, quo Montana a territorio Dakota seiungitur; ad meridiem, I° gradum latitudinis septentrionalis quadragesimum quintum a puncto, quo eum secat dictus gradus longitudinis vigesimus septimus, ad punctum in quo secatur a gradu trigesimo quarto longitudinis occidentalis; II° eundem gradum vigesimum quartum ab ultimo puncto intersectionis vergentem ad meridiem quoadusque tangit cacumen montium saxosorum (Rocky Mountains), quibus Montana a Wioming separatur; III° eandem summitatem montium saxosorum, usque ad apicem montium Radicis amarae (Bitter Root Mountains); tandem ad occidentem, I° summitatem dietorum montium Bitter Root vergentem ad septentrionem usque ad punctum intersectionis gradus trigesimi noni longitudinis occidentalis a Washington; II° eundem gradum trigesimum nonum usque ad gradum quadragesimum nonum latitudinis septentrionalis, quibus ultimis limitibus Montana dividitur ab Idaho. Haec volumus, statuimus, edicimus, non obstantibus, quamvis speciali atque individua mentione ac derogatione dignis, in contrarium facientibus quibuscumque.

Datum Romae apud Sanctum Petrum sub annulo Piscatoris die VII. Martii MDCCCLXXXIV., Pontificatus Nostri anno septimo.

Source: *Leonis XIII Acta*, IV, 29-32.

No. 158.

LEO XIII

APRIL 15, 1884

Summary: We have decided to accede to the suggestion of the prelates of the Archdiocese of Boston and to create a new diocese

¹ John Baptist Brondel was appointed first Bishop of Helena. He was born at Bruges, Belgium, on February 23, 1842. Ordained to the priesthood he shortly afterwards came to the United States. He was consecrated Bishop of Vancouver Island on December 14, 1879 and retained this position until his transfer to the Vicariate-Apostolic of Montana on April 17, 1883. He died on November 3, 1903. O'Donnell, *op. cit.*, 32-33.

from a part of the Diocese of Portland. Therefore, by Our Apostolic authority, We hereby detach the entire State of New Hampshire from the aforesaid Diocese and constitute the territory thus separated into a new diocese whose episcopal See shall be in the city of Manchester. The new See shall be suffragan to Boston.

LEO PP. XIII

Ad futuram rei memoriam. Quod erat in votis Sacrorum Antistitum Bostoniensis Provinciae nempe ut, divisa seu dismembrata Dioecesi Portlandensi, pars ab eadem seiuncta in novam erigeretur Dioecesi hodie perspecta utilitate illis fidelibus inde obventura, unanimi Venerabilium Fratrum Nostrorum S. R. E. Cardinalium negotiis propagandae fidei praepositorum suffragio constituendum definiendumque existimavimus. Itaque ex suprema quam in persona Beatissimi Petri gerimus, potestate a Portlandensi Dioecesi integrum territorium Status New Hampshire complectens omnino ac perpetuo divellimus, atque ita divulgum ac seiunctum in novam Dioecesi erigimus atque instituimus. Novae autem huiusce Dioecesis Sedem in Civitatae vulgo Manchester¹ constituimus, et ab ipsa Civitate illius Sede nomen fieri volumus, ita ut illam hoc futurisque temporibus Manchesteriensem Dioecesi appellari edicamus. Eamdem praeterea Manchesteriensem Dioecesi Suffraganeam Bostoniensis Archiepiscopi esse iubemus, atque omnibus iuribus honoribus privilegiisque frui, quibus aliae Episcopales Ecclesiae fruuntur et gaudent. Haec praecipimus et mandamus, ideoque decernimus has Litteras Nostras firmas validas et efficaces existere et fore, suosque plenarios et integros effectus sortiri et obtinere, illisque ad quos spectat et in posterum spectabit in omnibus et per omnia plenissime suffragari; sicque in praemissis per quoscumque Iudices ordinarios et delegatos, etiam causarum Palatii Apostolici Auditores, ac S. Romanae Ecclesiae Cardinales etiam de latere Legatos, ac Sedis Apostolicae nuncios, et alios quoslibet quacumque praeeminentia et potestate fungentes et functuros, sublata eis et eorum cuilibet quavis aliter iudicandi et interpretandi facultate et auctoritate iudicari et definiri debere, ac irritum et inane, si secus super his a quacumque quavis auctoritate scienter vel ignoranter contigeri attentari. Non obstantibus Nostra et Cancellariae Apostolicae regula de jure quaesito non tollendo, nec non fel. rec. Benedicti XIV Praedecessoris Nostri super Divisione Materialium, aliisque Apostolicis, ac in universalibus provincialibusque, et synodali-

¹ Denis Bradley was appointed to the new See. He was born in Castle Island, County Kerry, Ireland, on February 25, 1846, came to the United States at the age of eight, and was ordained to the priesthood on June 13, 1871. He was consecrated Bishop of Manchester on June 11, 1884 and died in that city on December 13, 1903. O'Donnell, *op. cit.*, 148.

bus Conciliis editis generalibus vel specialibus Constitutonibus et Ordinationibus ceterisque contrariis quibuscumque. Datum Romae apud Sanctum Petrum sub Annulo Piscatoris die xv Aprilis MDCCCLXXXIV Pontificatus Nostri Anno Septimo.

Source: *Episcopal Archives of Manchester.*

No. 159.

LEO XIII

OCTOBER 25, 1884

The American College in Rome was erected by Pius IX on August 15, 1858. The establishment of the College had been proposed to the Holy See by a number of American bishops in 1854, and immediately received the warm support of the pope,¹ who became so interested in the project that he himself purchased and presented the old Visitation Convent of the Umiltà for the purpose. Leo XIII, on the occasion of the Silver Jubilee of the College, raised it to the dignity of a pontifical institute, by the following papal Bull.

Summary: From the very beginning, the Roman Pontiffs have been most solicitous that the Catholic Faith remain intact and be diffused among the people of the United States. To this end, the Sacred Congregation has seen to it that students from that region be admitted to the Collegio Urbano, where, under the very eyes of the pontiffs, they might advance in piety and knowledge. The response to these marks of affection has been most satisfactory. This is shown by the strong bonds existing between the Church in the United States and the Holy See, and, likewise, by the spread of the Faith so that a new spiritual kingdom of the Church has blossomed forth in that country.

These consoling results have led the Pontiffs to do even greater things for that part of the Lord's vineyard. Wherefore, Pius IX was solicitous to have an American College in Rome. The Col-

¹ Brann, H. A., *History of the American College* (New York, 1910).

lege was erected on August 15, 1858, and dedicated on December 8, 1859. The College was, however, never canonically erected and, therefore, We, hereby erect it into a pontifical institute, to be governed according to the following rules: The Prefect of Propaganda shall be the Patron of the College, which shall be administered by the American hierarchy. Only American citizens shall be admitted and these shall be recommended by the bishop of the diocese from whence they come. Before being ordained, the students shall take the customary oath. They shall attend the Collegio Urbano, the rules of which shall be accommodated to the special condition of the American College.

LEO EPISCOPUS

SERVUS SERVORUM DEI

ad perpetuam rei memoriam.

Ubi primum latissimae Americae Septentrionalis plagae deductis ex Europa coloniis frequentia populorum celebrari coeperunt, Romani Pontifices Praedecessores Nostri ad eam regionem oculos convertentes in qua modo florentissima ex foederatis statibus Respublica constituta est, omnes sollicitudines et studia sua in id contulere, ut catholica fides, quaeque ex ea dimanant in civitates bona, non modo inter Christifideles manerent incorrupta, sed etiam inter gentes sive barbaras sive ex diversis orbis partibus illuc immigrantes, quamvis, origine, lingua, moribus, religione dissitas, inducerentur.—Ad hos salutares fructus assequendos maxime valuerunt, tum virorum apostolicorum delectus quos undique conquisitos in eas provincias mittere nunquam destiterunt, tum sedulae assidueque curae Sacrae Congregationis Christiano nomini propagando, cuius consiliis et ministeriis Iidem perpetuo usi sunt, ut septentrionalis Americae spirituali utilitati consulerent.—Porro eadem Sacra Congregatio Decessoribus Nostris operam navans, inter alia sui studii argumenta erga eam regionem, hoc etiam exhibuit, ut nempe admissis in Urbanianum Collegium eius regionis alumnis, ex iis novos in dies Evangelii praecones in urbe totius christiani Orbis principe, in ipsis Pontificum oculis ad pietatem et scientiam pro Americae borealis gentibus diligenti institutione informandos, opportune curaret.² Illustres autem Americanae gentis electa pars tot tantisque Summorum Pontificum dilectionis testimoniis ita respondit, ut quam de se expectationem excitaverat, eidem luculenter re ipsa satisfecerit. Egregia enim semper argumenta praebuit sui studii erga catholicam religionem, ac

² On the influence of Rome in the formation of the American Clergy, cf., the paper by that title, printed in Brann, *op. cit.*, 350-380, by Cardinal (then Archbishop) W. O'Connell.

filialis obedientiae devotaeque voluntatis erga Apostolicam Sedem, Eique firmis obsequii vinculis sese devinctam ostendit. Qua in re praecipuam commendationem sacri eius regionis Pastores sibi vindicant, quorum concordibus et assiduus laboribus brevi eo res adductae fuere, ut amplissima Episcopali Hierarchia per memoratos status constituta, religiosis Ordinibus invectis, Catholica institutione diffusa, veluti novum Ecclesiae spirituale regnum in iis regionibus effloruerit.

Haec magna cum consolatione intuentes Romani Pontifices sui muneris, paternaeque suae erga illustrem illam partem dominici gregis benevolentiae esse duxerunt, ut maiora etiam in eius utilitatem peragenda curarent. Quapropter inclitus Decessor Noster fel. rec. Pius IX nihil ad religionis incrementum utilius, ad Pontificiam munificentiam opportunius existimavit quam providere, ut quemadmodum plures ex aliis exteris nationibus, sic foederati Americae Septentrionalis status suam in Urbe domum altricem haberent in qua delecti iuvenes sacris studiis sacraque disciplina instituendi, ad exercendum deinde in patria sua uberi cum fructu sacerdotale ministerium exciperentur.—Quod feliciter mente conceperat illustris Decessor Noster, operam etiam dedit, ut omni sublata mora ad exitum perduceretur. Itaque Eius iussu a Sacro Consilio Christiano nomini propagando coempta in urbe domus, quae Sacrarum Virginum a Visitatione Deiparae antea fuerat, Collegio alumnorum Septentrionalis Americae addicta, perpetuumque in usum attributa est; simulque anno 1858 die solemni Sanctae Dei Matris sideribus receptae ab eodem Sacro Consilio litterae datae, quibus eiusdem Collegii erectio pro foederatis Americae Septentrionalis statibus decernebatur. Collegium quidem ipsum felicibus auspiciis die 8 decembris anno insequenti dedicatum est: sed tamen usque ad hanc diem illud supererat, ut documentum Apostolicum ederetur, quo ipsum ex more institutoque huius Apostolicae Sedis canonicae suae erectionis vim et dignitatem acciperet.—Eius rei causa Venerabiles Fratres Americae Borealis Episcopi, qui superiore anno exeunte³ de gravibus religionis rebus acturi in hanc almam Urbem convenerunt, per Ven. Fratrem Archiepiscopum Baltimoremsem Nobis fervidas preces obtulere, ut quod nondum a Collegio regionis suae constituto peractum fuerat, auctoritate curaue Nostra fastigium imponentes operi, perficeremus. Nos itaque haud cunctandum rati, eorumdemque Venerabilium Fratrum communibus votis obsecundare, clerumque et fideles americanae regionis novo hoc amoris testimonio prosequi cupientes, decretum a memorato Sacro Concilio editum super constitutione Collegii Clericorum pro foederatis Americae Septentrionalis statibus, cum omnibus et singulis in illo contentis, Auctoritate Apostolica tenore praesentium confirmamus, eique

³ Reference is made to the committee called to Rome in October 1883, for the purpose of deciding, with the guidance of the Holy See, the questions which were to be proposed at the Third Plenary Council of 1884. Cf. the preceding Document.

inviolabilis Apostolicae firmitatis robur adiicimus, ac praeterea ad maiorem Dei gloriam, ad incrementum catholicae religionis, ad decus utilitatemque magnae Reipublicae foederatorum Americae Septentrionalis statuum, eadem auctoritate tenore praesentium idem Collegium in hac alma Urbe iuxta canonicas normas erigimus et constituimus, ac nomine et titulo Pontificio decoramus, eidemque omnia iura, praerogativas, privilegia huiusmodi Collegiorum propria attribuimus et elargimur, ad leges quae infra sequuntur.

I. Cardinalis Sacri Consilii Christiano nomini propagando Praefectus⁴ pro tempore existens, idem perpetuo Patronus Collegii esto: idemque ubi opportunum sibi visum fuerit, adiutorem sibi in eo munere gerendo deligendi et constituendi, iure fruatur.

II. Administratio universa Collegii ab Archiepiscopis et Episcopis Foederatorum Statuum Americae Septentrionalis, vel a Praesulibus ab ipsis ad id muneris legitime deputatis, geratur.

III. Archiepiscopi et Episcopi, quibus, ut supra, Collegii administratio concredita est, iidem cum moderator Alumnis Collegii regendis renunciandus fuerit, tres sacerdotes, qui ad hoc munus obeundum idonei visi fuerint Sacro Consilio Fidei propagandae, proponant, uti ex iis Summus Pontifex audito Sacrae Congregationis consilio eligat, quem Collegii regimini Rectoris nomine et potestate praeficiat.

IV. Rector in omnibus quae ad Collegii regimen pertinent Emi. Patroni ac Episcoporum Collegii Administratorum auctoritati obsequatur, eisque accuratam rei familiaris rationem sexto quolibet anni mense reddat.

V. Rector idem, ut munere suo expeditius et utilius perfungi queat, tum in iis quae oeconomicae Collegii curationem, tum in iis quae Alumnorum disciplinam spectant, opportunis adiutoribus utatur.— Propterea ipsius erit, Emo. Patrono approbante, idoneum sacerdotem vicarium suae potestatis adseiscere, nec non curatorem rei familiaris Collegii Emo. Patrono et Episcopis Administratoribus proponere, ac de ipsorum consensu constituere, qui in munere exercendo a Rectoris auctoritate nutuque pendere debet.

VI. Rector omnibus praesit, non alumnis modo sed et singulis maioribus ac minoribus Collegii administris.

VII. Nec inter alumnos admittatur quispiam, nisi aut ratione originis aut ratione domicilii vel quasi domicilii foederatorum Americae Statuum civis habeatur, ut constitutis conditionibus satisfaciat, ac ingenii morumque laude probatus firmam spem praebeat, sese in ecclesiasticis ministeriis esse perpetuo inservitutum.

VIII. In alumnis novis adseiscendis Collegii Rector cum Episcopis agat ad quorum Dioecesim ipsi pertinent; tum de singulis qui exci-

⁴ Cardinal Simeoni was Prefect of the Sacred Congregation at the time.

piendi erunt ad Emum. Patronum referat, alumnosque item antequam Collegium ingrediantur, aut in patriam redeant, coram Emo. Patrono sistat.

IX. Alumni antequam ad Sacros Ordines promoveantur, juramentum de more emittant, ut in Collegiis Pontificiis fieri solet.

X. Collegii Urbani fidei Propagandae scholas Americani Alumni studiorum causa celebrent, ibique ad gradus Academicos assequendos doctrinae experimenta edant.—Quo vero in studiis suis proficere valeant uberius, sacerdos rerum theologicarum et philosophicarum scientia praestans apud ipsos commoretur, qui iisdem in susceptis praelectionibus explanandis et illustrandis adiumento erit.

XI. Quod autem ad spirituales Alumnorum curam attinet, Rectoris munus erit sacerdotem ad confessiones excipiendas ab Emo. Urbis Vicario approbatum, in pietatis magistrum et ordinarium Confessarium qui in Collegii aedibus degat, de Emi. Patroni assensu deligere; isque ita delectus Alumnorum animis ad virtutem et scientiam Sanctorum studiose ac prudenter provehendis operam navet.

XII. In Alumnorum disciplina regulae seu leges Collegii Urbani Fidei Propagandae opportune temperatae, ac peculiaribus Americani Collegii rationibus accommodatae, accurate servantur.

Volumus denique ut hae Literae Nostrae firmae rataeque, uti sunt, ita in posterum permaneant; irritum autem et inane futurum decernimus si quid super his a quoquam contigerit attentari: contrariis quibuscumque non obstantibus.

Datum Romae sub annulo Piscatoris anno millesimo octingentesimo octuagesimo quarto die xxv. Octobris. Pontificatus Nostri anno septimo.

Sources: *CPB III*, 193-196; *Acta Sanctae Sedis*, XVII (1884), 175-178; *Leonis XIII Acta*, IV, 152-159.

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